

IN THE MATTER OF THE APPLICATION OF
PERRY HALL MINI-STORAGE CO. FOR A
SPECIAL HEARING, SPECIAL EXCEPTION AND
VARIANCES ON PROPERTY LOCATED AT THE
END OF A PRIVATE ROAD, 380' +/-
EAST OF THE END OF FITCH LANE (7750
ROSSVILLE BOULEVARD)
14TH ELECTION DISTRICT
6TH COUNCILMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. 90-17-SPHXA

OPINION

This case comes before this Board on appeal from a decision of the Zoning Commissioner dated September 12, 1989 in which the Petition was denied in part and granted with restrictions in part. Attorney for the Petitioner stated that they were appealing only those parts of the Zoning Commissioner's Order that denied the Petition. As all cases before the Board are de novo, the Zoning Commissioner's Order must be considered in its entirety. There was, however, agreement between all parties that no testimony or evidence for or against those portions of the Zoning Commissioner's Order granting the Petition would be produced today.

Petitioner had obtained an easement on an area adjacent to his business for the purpose of locating a business sign. Attorney for the Petitioner stated that he wanted to dismiss his appeal of the denial of an outdoor sign and also dismiss the appeal from the Zoning Commissioner's Order denying the easement area to be used for a sign. People's Counsel concurred. Located on the site, zoned commercial, is a residence that the Zoning Commissioner granted a nonconforming status to. The Zoning Commissioner also granted the right to cross residentially zoned area in order to access the site; this residentially zoned area being actually part of a transmission line and totally undevelopable for residential use. The only issue left for the Board to decide was the Petitioner's request to be granted a variance to permit his building to be 18 feet apart instead of the 26 feet granted by the Zoning Commissioner. Theodore Julio, general partner in the

Case No. 90-17-SPHXA
Perry Hall Mini-Storage Co.

firm, took the stand and testified that they already have in existence four similar mini-warehouse operations. Three of these have a distance of 18 feet between buildings and one has a distance of 26 feet between the buildings. He testified that he has had no problems whatsoever with the 18 foot separation and has gained no advantage whatsoever from the 26 foot separation. Pat Keller represented the Office of Planning and Zoning and testified that he supports the 18 foot distance and People's Counsel, on the record, stated no opposition to the granting of this variance. Mr. Keller made his support of this 18 foot distance variance contingent on approval of the landscaping plan to be submitted and the retention of the same roof structure and building color as are on Mr. Julio's existing facilities. This concluded this case.

ORDER

It is therefore this 5th day of February, 1990 by the County Board of Appeals of Baltimore County ORDERED that the Petition to use the easement be DENIED and that the Petition to erect an outdoor advertising sign be and the same is also DENIED; and

IT IS FURTHER ORDERED that the nonconforming use of the residence in an ML zone be GRANTED; that the right to cross a residential zone to access a commercial site be and the same is GRANTED, and that the Petition for zoning variance to allow an 18 foot separation between the buildings instead of 26 feet be and the same is hereby GRANTED with the following restrictions:

1. That the landscape plan must comply with all Baltimore County Regulations.

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Perry Hall Mini-Storage Co.

2. That the pitch on the roof of the buildings and the color of the external walls be the same as those mini-warehouse units already in existence owned by Mr. Julio.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman
Lynn B. Moreland
Lynn B. Moreland
John C. Disney
John C. Disney

IN RE: PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCES -
End of private road, 380' +/-
SE of the end of Fitch Lane
(7750 Rossville Boulevard)
14th Election District
6th Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 90-17-SPHXA

Perry Hall Mini-Storage Co.
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to determine the nonconforming status of an existing dwelling on a newly created lot in an M.L. zone for the purpose of continuing the nonconforming use on a reduced lot; to determine whether an easement area is part of the property for the purpose of locating a business and/or outdoor advertising sign; and to approve commercial access through a residential zone; a special exception to permit an off-site outdoor advertising sign; and variances to permit a minimum distance of 18 feet between buildings in lieu of the required 60 feet; an off-site outdoor advertising sign within 20 feet of I-695 (Baltimore Beltway) in lieu of the required 250 feet, and in lieu of the required 25 feet building setback, all as more particularly described in Petitioner's Exhibits 1 and 7.

The Petitioners, by Theodore C. Julio, General Partner, appeared, testified, and were represented by Benjamin Bronstein, Esquire. Also appearing on behalf of the Petitions were Paul T. Muddiman and Robert F. Bradley with Morris & Ritchie Engineers & Associates. Appearing for informational purposes was Catherine C. Warfield, Registered Professional Engineer and Chief of the Water Design & Approval Section, Baltimore County Department of Public Works. No Protestants appeared at the hearing; however, by letter dated August 17, 1989, Mr. & Mrs. Richard D'Ascenzo,

adjoining residential property owners, voiced their objections to the relief requested.

Testimony indicated that the subject property, known as 7750 Rossville Boulevard, consists of 8.802 acres more or less zoned M.L.-I.M. and is improved with various outbuildings. Counsel proffered that Petitioners propose developing the property for use as a mini-warehouse park. Testimony indicated that primary access to the site will be a proposed private road accessing Rossville Boulevard and transgressing the property of the Baltimore Gas and Electric Company. The only other access to the site is from Fitch Lane, but is, as a practical matter, non-useable in view of the severe topography of the land. The subject property fronts I-695 and is visible from both Rossville Boulevard and I-695. Located along the southeast border of the subject site is the Susquehanna Transmission Company's high tension wires and existing 8" and 4" gas pipelines. Also located southeast of the subject site and transgressing its southeast-east corner is the Susquehanna 96" water pipeline. The residential dwelling as shown on Petitioner's Exhibit 7 and designated as Parcel D, is over 40 years of age and of no commercial or industrial use to the Petitioners since its access is through Fitch Lane. The Petitioners propose to rent the dwelling as a single family dwelling and subdivide the parcel for residential development at a future date.

Mr. Julio testified based on his experience in the mini-storage business that a distance of 18 feet between buildings is more than sufficient for this type of use and that a building to building setback of 60 feet would require needless grading and additional paving. Petitioner indicated that the storage buildings would be retained under single ownership for rental use, will have no windows and will generate a low traffic

volume. Testimony indicated that Petitioners have been unable to secure signage on Rossville Boulevard and therefore seek a special exception to permit an off-site advertising sign which, if approved, would permit the location of a business/outdoor advertising sign in an easement area secured from an adjoining property owner along I-695. The subject signage as proposed would be placed within 20 feet of the Baltimore Beltway, as more fully described in Petitioner's Exhibit 7. Petitioner testified that they would be willing to limit the sign face to the name of the site, a telephone number for inquiries, and the words "Access on Rossville Boulevard." Petitioner testified that in view of the severe topography of the land and the Petitioner's inability to locate signs along Rossville Boulevard, the requested special exception and variances are necessary for Petitioner to adequately advertise the proposed use of the site. Petitioner testified that if the requested variances and special exception for the signage are not granted, they will suffer practical difficulty and undue hardship in view of the fact that the layout of the land and topography of the site limits the number of suitable locations for practical placement of signage. Petitioner also testified there would be no adverse impact on the health, safety or general welfare of the community if the relief requested were granted.

Petitioner also testified that the proposed commercial access road through the D.R. 16 zone as indicated on Petitioner's Exhibit 1 is the only practical access to this property. The only other access would be from Fitch Lane and in view of the severe topography at this location, an access road would not be practical.

Mrs. Warfield testified regarding the 96" water main that traverses the site on its southeast border, as depicted on Petitioner's Exhibit 1.

Mrs. Warfield also testified regarding the 96" water main project which will serve the future Fullerton reservoir. She indicated that one of the proposed locations for the main is parallel to and northwest of the aforementioned existing 96" water main. Mrs. Warfield stated that should this alignment be selected for the new main, the close proximity of Building A to the main, as set forth on Petitioner's Exhibit 1, would be unacceptable.

Testimony and evidence presented indicated to the satisfaction of the Zoning Commissioner that the requested commercial access through the D.R. 16 zone for a private road is not contrary to the spirit and intent of the zoning regulations and would create a practical difficulty and undue hardship upon the Petitioners if denied. The proposed location of the access road is traversed above by transmission lines and below by the existing 96" water main and the 8" and 4" gas lines. The topography of the land is severe and otherwise not suitable for residential development. It is the Zoning Commissioner's opinion that there is no reasonable possibility for residential development of this D.R. 16 zoned land in view of the above findings. It is the opinion of the Zoning Commissioner that the granting of the relief requested would not adversely impact the health, safety or general welfare of the surrounding community. Petitioner has met the requirements of Section 502.1 of the B.C.Z.R. and the requested relief is otherwise not contrary to the spirit and intent of the B.C.Z.R.

Petitioners have also requested a special hearing to determine the nonconforming status of an existing dwelling located on the northeast portion of the subject property on M.L. zoned land.

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property prior

to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the non-conforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered non-conforming. See McKemy v. Baltimore County, Md., 39 Md. App. 257, 385 A2d. 96 (1978).

When the claimed non-conforming use has changed, or expanded, then the Zoning Commissioner must determine whether or not the current use represents a permissible intensification of the original use or an actual change from the prior legal use. In order to decide whether or not the current activity is within the scope of the non-conforming use, the Zoning Commissioner should consider the following factors:

"(a) To what extent does the current use of these lots reflect the nature and purpose of the original non-conforming use;

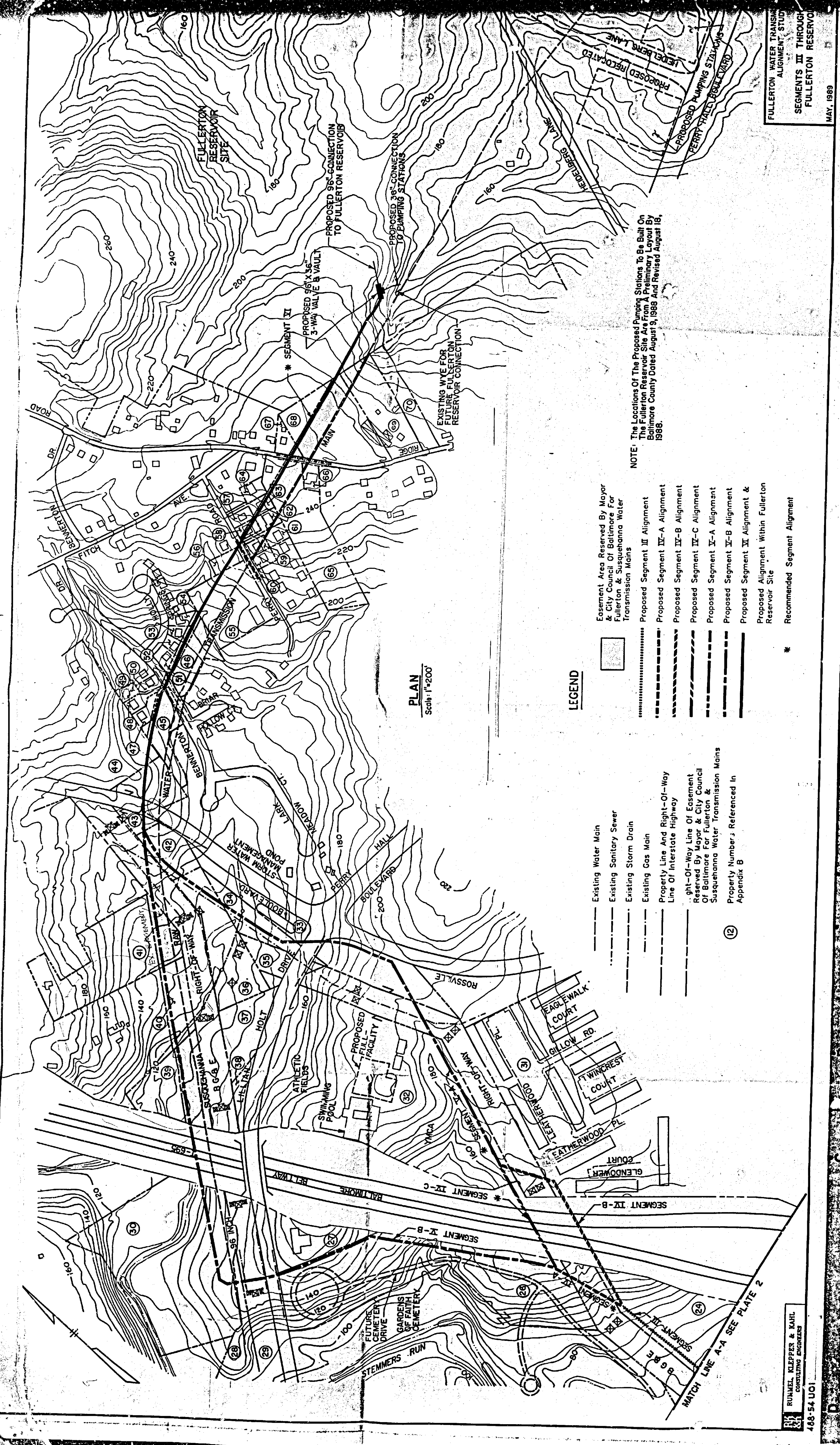
(b) Is the current use merely a different manner of utilizing the original non-conforming use or does it constitute a use different in character, nature, and kind;

(c) Does the current use have a substantially different effect upon the neighborhood;

(d) Is the current use a "drastic enlargement or extension" of the original non-conforming use."

McKemy v. Baltimore County, Md., Supra.

After due consideration of the testimony and evidence presented, it is clear that the subject dwelling, which is located on a lot totaling



Baltimore County
Zoning Commission
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

October 31, 1989

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Hearing, Special Exception, and Variances
End of private road, 380' +/- SE of the "A" of Fitch Lane
(1750 Roseville Boulevard)
14th Election District, 6th Councilmanic District
PERRY HALL MINI-STORAGE CO. - Petitioner
Case No. 90-17-SPDZA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on October 11, 1989 by Benjamin Bronstein, Attorney on behalf of Petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRB:rcr
Enclosures
cc: Theodore C. Julio - Perry Hall Mini-Storage Co.
9 J. Deane Road, Timonium, MD 21093
Benjamin Bronstein, Esquire - Evans, George & Bronstein
29 W. Chesapeake Avenue, Suite 205, Towson, MD 21204
Paul T. Muddiman - Morris & Ritchie Associates
129 W. Main Street, Belair, MD 21014

Robert F. Bradley - Morris & Ritchie Associates
129 W. Main Street, Belair, MD 21014
Catherine C. Warfield - Baltimore County Dept. of Public Works
111 W. Chesapeake Avenue, Towson, MD 21204
Mr. & Mrs. Richard D'Ascenzo, 7605 Fitch Lane, Balto., MD 21236
People's Counsel
Rm. 304, County Office Bldg., Towson, Md. 21204
File

LAW OFFICES
EVANS, GEORGE AND BRONSTEIN
SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(301) 886-0000
FAX (301) 886-3719

December 12, 1989

County Board of Appeals
County Office Building
111 Chesapeake Avenue
Towson, Maryland 21204

Attention: Linda Lee M. Kuzmaul

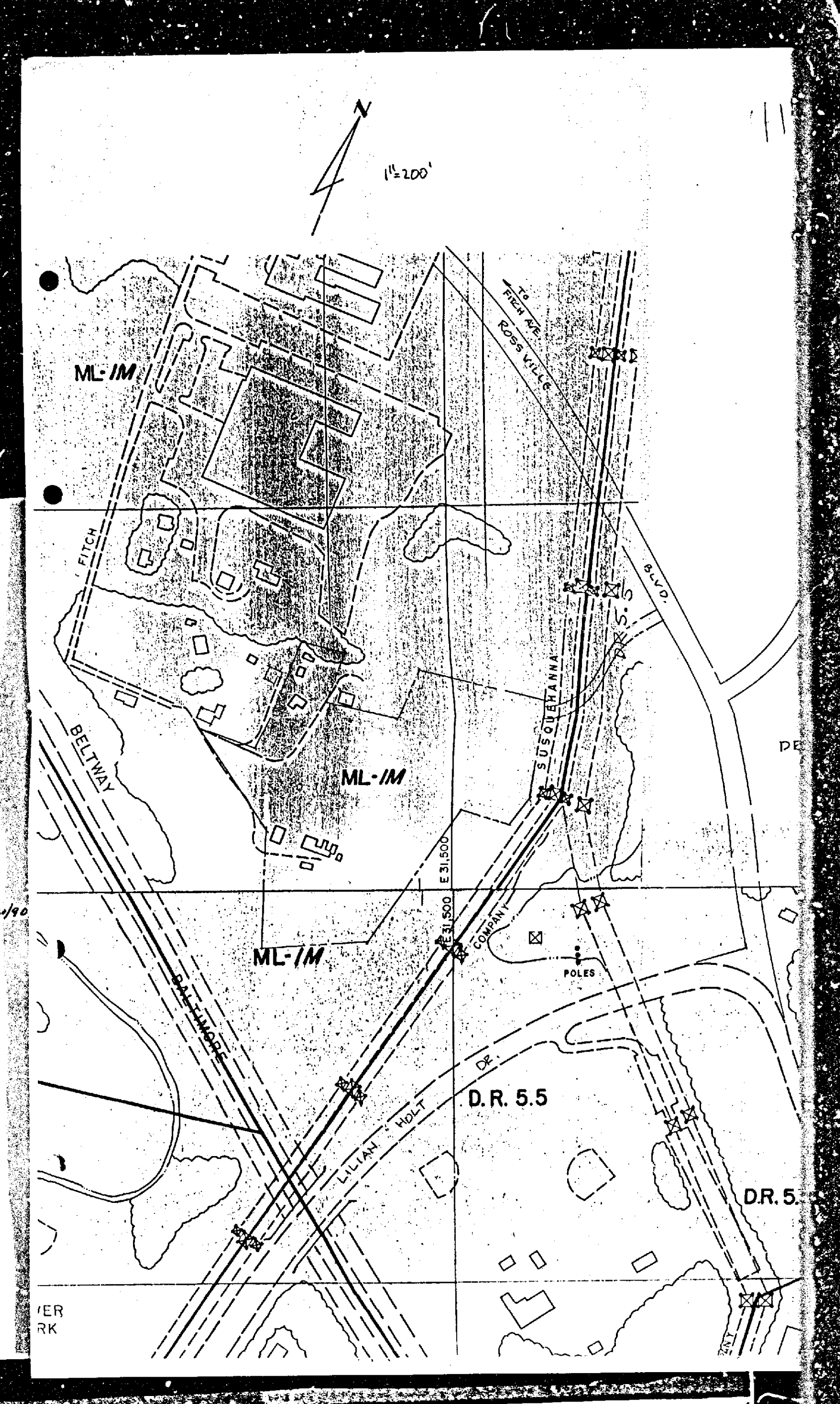
Re: Case No. 90-17SPDZA Perry Hall Mini Storage Co. - 10/30/89
Pr. 5/10/90

Dear Linda:

In my previous letter of this date referring to Arbutus Business Center, Sulphur Spring Business Center and Golden King Business Center, I neglected to request that you reassign the above-entitled case to January 30th, 1990 with the other matters. Mr. Keller, Deputy Director of O.P.Z. and the Petitioner have resolved all issues. This case can be concluded in a short period of time. Thank you for your kind consideration.

Very truly yours,
EVANS, GEORGE AND BRONSTEIN
J. R. B.
Benjamin Bronstein

BB/eg
cc: Phyllis C. Friedman, Esquire
People's Counsel for Baltimore County
Theodore C. Julio
Pat Keller, O.P.Z.



ZONING ENFORCEMENT

Baltimore County
Zoning Office
Towson, Maryland 21204

ZONING VIOLATION ASSIGNMENT RECORD

CASE NO. C-91-923

ZONING:

LOCATION: 7750 ROSSVILLE BLVD.

NEAREST INTERSECTION:

ALLEGED VIOLATIONS: SIGN

(X) RFA () LETTER () IN-PERSON () PICK-UP FROM:

ASSIGNED TO: () K. CONNOR () G. FREUND () D. THOMPSON
() F. DIMEGLIO () C. MCGRAW (X) L. WASILEWSKI
() T. FITTS () D. PROPALIS ()

ELECTION DISTRICT: 14th

TAX ACCOUNT #

COMMENTS: 11/9/90 3 pictures
3 outdoor advertising signs

ACKNOWLEDGEMENT NOTICE

DEAR MR. KAMPE:

DATE: 10/30/90

PLEASE BE ADVISED THAT YOUR COMPLAINT, INVOLVING THE ABOVE REFERENCED PROPERTY, HAS BEEN RECEIVED BY THIS OFFICE. AN INSPECTOR HAS BEEN ASSIGNED TO THE CASE AND WILL VISIT THE LOCATION AS SOON AS POSSIBLE. YOU WILL ADDITIONALLY BE ADVISED OF ALL FURTHER DEVELOPMENTS IN OUR INVESTIGATION. SHOULD THIS MATTER BE SCHEDULED FOR A DISTRICT COURT TRIAL, YOU WILL BE NOTIFIED OF THE DATE.

ZONING ENFORCEMENT SECTION

TELEPHONE: 897-3351

Request for Assistance

RFA# 90-023

CITIZEN INFORMATION

Name: Andrew Kampe
Address: 7700 Sennerton Dr.
21236

Telephone: 668 9130 h
Form Initiated By: Helena

PROBLEM

Perry Hall Mini Storage 7750 Rossville Blvd.
2nd sign advertising above, faces his back yard.

CITIZEN CONTACT

Date:

Contact By:

AGENCY ACTION

Completed By:

FINAL DISPOSITION

Date:

DCA Staff Person:

Division of Citizens Assistance

Hill Management Services, Inc.
10 Deereco Road
Timonium, Maryland 21093

Jim Thompson
Zoning Enforcement Office
Room 107



Hill Management Services, Inc.

9640 Deereco Road • Timonium, Maryland 21093

T. C. Julio
President

(301) 666-1000

FAX (301) 561-8100



T. C. Julio
President

Hill Management Services, Inc.
9640 Deereco Road
Timonium, Maryland 21093
(301) 666-1000

November 15, 1990

Jim Thompson
Zoning Enforcement Office
111 West Chesapeake Avenue
Room 107
Towson, MD 21204

Dear Jim:

Enclosed you will find a copy of a facsimile from the State Highway Administration, which was presented to Bob Haines at our variance hearing for a freestanding, outdoor advertising sign last year. As you can see, the State Highway Administration's Beautification Section agrees that this sign is, in fact, to be considered an on premises sign for the purposes of applying County codes.

Very truly yours,

T.C. Julio

TJ/mmj



via FAX from **Northeast Signs, Inc.**
1790 UNION AVENUE BALTIMORE, MARYLAND 21211-1485
PHONE (301) 467-7733 FAX (301) 467-4422

Date: 11/9/90

To: Ted Julio
Hill Management Services, Inc.

FAX No. 301-8100

TELESCOPIER TRANSMISSION

From: Phil Horak

Re: Perry Hall Mini Storage

There is/are 1 page(s) following this cover page.

BALTO. COUNTY ZONING - SEE
TIM FITZ 897-3351

This telecopier material was sent VIA - XEROX 7010

Reply: Phone 301-467-7733 or FAX 301-467-4422



Building Identification • Screen Process Printing

Form No. 1588

LOCK VERMILION AND WHITE
BLACK ON YELLOW
WHITE ON VERMILION RED

PERRY HALL Mini-Storage

NOW RENTING 665-2700

NORTHEASTER SIGNS, INC. SHOW "A" 11-0"
DWG. NO. 101090-03

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

DATE: July 28, 1989

COVER MEMORANDUM

TO: Mr. Ted Julie
(NAME/OFFICE/TELEPHONE)

FROM: Mary Benner, C.E. of Real Estate 333-1440
(NAME/OFFICE/TELEPHONE)

TOTAL NUMBER OF PAGES (including FAX Memo) 2

Please forward this memo to the appropriate person as soon as possible. If you have any problems with this transaction, please call our office. The telephone number for the FAX machine at SHA-OFFICE OF REAL ESTATE HEADQUARTERS is 301/333-8012.

Your cooperation is appreciated.

ADDITIONAL INFORMATION:

My telephone number is (301)

303-7855 Baltimore Metro - 888-0451 D.C. Metro - 1-800-482-0062
707 North Calvert St., Baltimore, Maryland 21203-0717

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

Mr. Robert J. Haines
Zoning Commissioner
Attn: Mr. James Dyer
County Office Building
Towson, Maryland 21204

Re: Perry Hall Mini Storage
Item #471

Dear Mr. Haines:

This letter is in response to the one written to you by Mr. Croston J. Mills, Jr., Chief, Bureau of Access Permits, dated June 13, 1989, concerning the placing of signs at the above location.

A meeting was held with Mr. Robert H. Tresselt, Chief of the Right-of-Way Administration Division and Mr. George Dawson, the Highway Beautification Inspector for the area on July 24, 1989, concerning the above. It was determined that since the developer for Perry Hall Mini Storage project has a "Deed of Easement and Agreement" for the section of land that physically borders their property, the sign will be considered an on-premise sign and will be regulated by the Baltimore County Zoning Office.

When the sign is completed, it shall not project into the State's Right-of-Way.

If you need further assistance, please do not hesitate to contact this office.

Sincerely,

Mary I. Benner
Acting Chief
Highway Beautification Section

MIB:jak
cc: Mr. Croston J. Mills, Jr.
Mr. George Dawson

My telephone number is (301)

303-7855 Baltimore Metro - 888-0451 D.C. Metro - 1-800-482-0062
707 North Calvert St., Baltimore, Maryland 21203-0717

via FAX

Signs for Business and Industry Since 1930
Northeaster Signs, Inc.
1780 UNION AVENUE BALTIMORE, MARYLAND 21211-1485
PHONE (301) 467-7733 FAX (301) 467-4422

Date: 11/15/90

To: Ted Julie
Hill Management Co.

FAX No. 561-8100

TELECOPIER TRANSMISSION

From: Phil Horak

Re: Balto. Co. Zoning / Permits

There is/are 7 page(s) following this cover page.

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Reply: Phone 301-467-7733 or FAX 301-467-4422



Building Identification • Screen Process Printing
Form No. 1588

Section 413--SIGNS [B.C.Z.R., 1955.]

413.1--The following signs are permitted in any zone, as limited in Section 413.5 (see also Section 14-26 of the Baltimore County Code, 1968, and Section 600 of these Regulations); if illuminated they shall be of an enclosed lamp design, non-flashing, containing no colored illumination, and may also be of the reflector type: [B.C.Z.R., 1955 and Bill No. 172, 1977.]

- A sign indicating the name or number of the owner and/or premises or the accessory use of a dwelling for a home occupation or for professional purposes, provided that such sign shall not exceed one square foot in area; [B.C.Z.R., 1955.]
- One bulletin board on church, school, or college property, not over 30 square feet in area; [B.C.Z.R., 1955.]
- A sign on a farm, noting the sale of articles grown or produced on the premises, provided that such sign shall not exceed 30 square feet in area, shall be at least 10 feet from any public right-of-way and at least 50 feet from the nearest corner of a road intersection; [B.C.Z.R., 1955.]
- A sign, not exceeding 15 square feet in area, in connection with an apartment building or place in which a rental office is located; also for a dwelling converted into a tea room or restaurant; [B.C.Z.R., 1955.]
- Directional or information signs of a public or quasi-public nature, not exceeding 15 square feet in area. Such signs shall contain no advertising matter, and shall not be illuminated, but may be of the beaded reflector type. They may state: [B.C.Z.R., 1955.]
 - Name or location of a community or of a public or quasi-public institution or other building, or the name of place of meeting of an official or civic body, such as a Chamber of Commerce or Rotary or Kiwanis Club. [B.C.Z.R., 1955.]
 - Temporary signs noting an event of general interest such as a county fair, public or general election, horse show, etc. Such sign shall be removed within ten days after the event. [B.C.Z.R., 1955.]
 - Signs--directional, informational, or warning in character, involving no advertising aspect, and each not exceeding 25 square feet in area. [B.C.Z.R., 1955.]

9/14/88

f. A temporary real estate sign, not exceeding six square feet in area, advertising sale or lease only of the premises on which such sign is displayed; provided that where parcels of land are offered for sale or lease, having a road frontage of 500 feet or more, a sign or signs totaling not more than 50 square feet in area for each 500 feet of frontage may be posted. The sign shall be removed from the premises within thirty days after the sale or rental thereof. [B.C.Z.R., 1955.]

g. A temporary real estate sign, not exceeding 100 square feet in area, advertising the opening of a new subdivision within which such sign is located. One additional sign may be erected for each 500 feet of frontage in the same ownership, except that if V-shaped signs are used the distance between signs shall be not less than 1,000 feet. A V-shaped or double-faced sign shall be considered as one sign. The sign shall be set back from every street property line not less than 15 feet, but under no circumstances may such sign be located within 100 feet of any existing principal building on adjoining premises on the same side of the street. The sign shall be removed not later than one year after its date of erection. [B.C.Z.R., 1955.]

h. Building contractor's and professional persons' temporary signs on buildings under construction, limited to a total area for all such signs of 150 square feet. [B.C.Z.R., 1955; Resolution, November 21, 1956.]

413.2--Business signs as defined in Section 101 are permitted in Business and Industrial Zones under the following conditions, as limited by Section 413.5; however, for business signs in the M.L.R. and M.L. Zones, the provisions of subsection 413.6 shall apply: [B.C.Z.R., 1955; Bill No. 7, 1984]

a. In any business zone, a sign affixed parallel to a wall of a building shall not exceed in square feet four times the length of the wall to which it is affixed, and if it adjoins the eave of the roof, shall extend not more than four feet in height above such eave. [B.C.Z.R., 1955.]

b. In any business zone a sign affixed to any part of a building including a penthouse shall not extend more than 16 feet in height above any part of the roof or parapet and shall not exceed in square feet four times the length of the front building wall. [B.C.Z.R., 1955; Resolution, November 21, 1956.]

c. A sign attached to the building and projecting approximately at right angles to it shall not exceed a total area of two square feet for every foot of height of the wall to which it is attached. [B.C.Z.R., 1955.]

d. No sign described in 413.2.a, b and c above shall project more than 42 inches from the building. [B.C.Z.R., 1955.]

e. An identification sign for a shopping center or other integrated group of stores or commercial buildings, not exceeding 50 square feet in area. Multiple-faced signs shall be considered as one sign. If the commercial center has access from more than one street, one such identification sign may be allowed for each street provided the latter is officially recognized as a thoroughfare; also provided that no such identification signs shall be located within 100 feet of any existing principal building or adjoining residential premises on the same side of the street. No such sign, however, shall be permitted unless the land on the opposite side of such thoroughfare is zoned commercial from the corner to a point opposite any portion of such sign. [B.C.Z.R., 1955; Resolution, November 21, 1956.]

f. Other business signs (not exceeding three on any premises) may be used if limited to a total area of 100 square feet in Business Zones, and 200 square feet in M.H. Zones. [B.C.Z.R., 1955; Bill No. 7, 1984.]

413.3--Outdoor advertising signs as defined in Section 101 are allowed only in B.L., B.M., M.L., and M.H. Zones as Special Exceptions, under the following conditions, as limited by Section 413.5: [B.C.Z.R., 1955.]

a. The total surface area of any such sign, exclusive of structural supports, shall not exceed 300 square feet, except that a handpainted custom-built sign may have a total surface area of not exceeding 500 square feet. The provisions of this subparagraph referring to hand-painted custom-built signs shall permit only one single face unit. [B.C.Z.R., 1955]

b. No such sign shall be permitted to front on, face or be located within 250 feet of the right-of-way of any expressway or other controlled-access-type highway, or within 100 feet of the right-of-way of any other dual highway. [B.C.Z.R., 1955.]

c. No such sign shall be located closer to the street right-of-way line than the minimum front yard requirement for a commercial building as determined by these Regulations for the zone involved. [B.C.Z.R., 1955.]

d. No such sign shall be located within 100 feet of any street intersection involving a dual highway, or within 50 feet of any other intersection. [B.C.Z.R., 1955.]

e. No outdoor advertising sign shall be erected in any B.L. or B.M. Zone unless at least 50% of the available frontage between streets, on that side of the street wherein the sign is proposed to be located, is improved with commercial uses. [B.C.Z.R., 1955.]

f. In any B.L. or B.M. Zone, all outdoor advertising signs on vacant land shall be located not less than 500 feet apart; all such signs placed on improved commercial properties shall be spaced not less than 100 feet apart. The 100 foot spacing shall govern when improved and unimproved commercial properties are contiguous. Two signs placed approximately at right angles to the street right-of-way, either back to back or end to end, are permitted. Provisions as to spacing and location of signs shall apply separately to each side of a street. [B.C.Z.R., 1955.]

g. In any M.L. or M.H. Zone, signs shall be placed at least 1,000 feet apart on the same side of the street or highway except that 2 signs may be paired, approximately back to back, totalling 4 signs on one structure, when located approximately at right angles to the right-of-way line. [B.C.Z.R., 1955.]

h. No outdoor advertising sign erected on a roof may extend more than 16 feet above any part of the roof or parapet, except that the 16 foot limitation shall not apply to any such roof sign existing as of the date of adoption of these regulations. [B.C.Z.R., 1955.]

i. No existing outdoor advertising sign that does not comply with conditions and standards contained in this Section 413.3 shall be permitted to remain on any premises beyond the expiration date of any Special Permit by the authority of which it was erected, or if erected prior to Jan. 2, 1945, two years after the effective date of adoption of these regulations, except as noted in subparagraph h. above. [B.C.Z.R., 1955.]

413.4--In addition to signs allowed in Section 413.2 and 413.3 miscellaneous temporary signs such as seasonal streamers and banners may be displayed for periods not exceeding 30 days continuously, and totalling not more than 60 days in any one year. [B.C.Z.R., 1955.]

413.5--All business or outdoor advertising signs shall be subject to the following conditions: [B.C.Z.R., 1955.]

a. The surface area of any sign shall include the entire face or faces of the sign, or if the sign is composed of individual letters, figures, or designs, the space between and around such letters, figures or designs. [B.C.Z.R., 1955.]

b. No sign shall be placed within or project into the street right-of-way. [B.C.Z.R., 1955.]

c. Any free-standing or projecting sign within 25 feet of a street right-of-way line shall be so placed as to allow clear and ample visual sight lines for driveways leading into a street, and at intersecting streets and alleys. [B.C.Z.R., 1955.]

d. No sign erected on ground elevated above the level of the street which it abuts shall exceed 25 feet in height. No sign erected on ground below the level of the street which it abuts shall extend more than 25 feet above the level of the street which it abuts, except that in no case shall the total height of the structure exceed 35 feet. [B.C.Z.R., 1955.]

e. A sign may be illuminated, if illumination is confined to the surface of the sign; the sign shall be so located and arranged as to avoid glare or reflection onto any portion of any adjacent highway, or into the path of oncoming vehicles, or onto any adjacent residential premises. [B.C.Z.R., 1955.]

413.6--Business signs as defined in Section 101 are permitted in the O.T., M.L.R. and M.L. Zones under the following conditions and as limited by Section 413.5 except as herein modified. [Bills No. 7, 1984; No. 34, 1984.]

a. Stationary business signs are permitted on a building, provided that--

- No sign projects more than twelve (12) inches from the building;

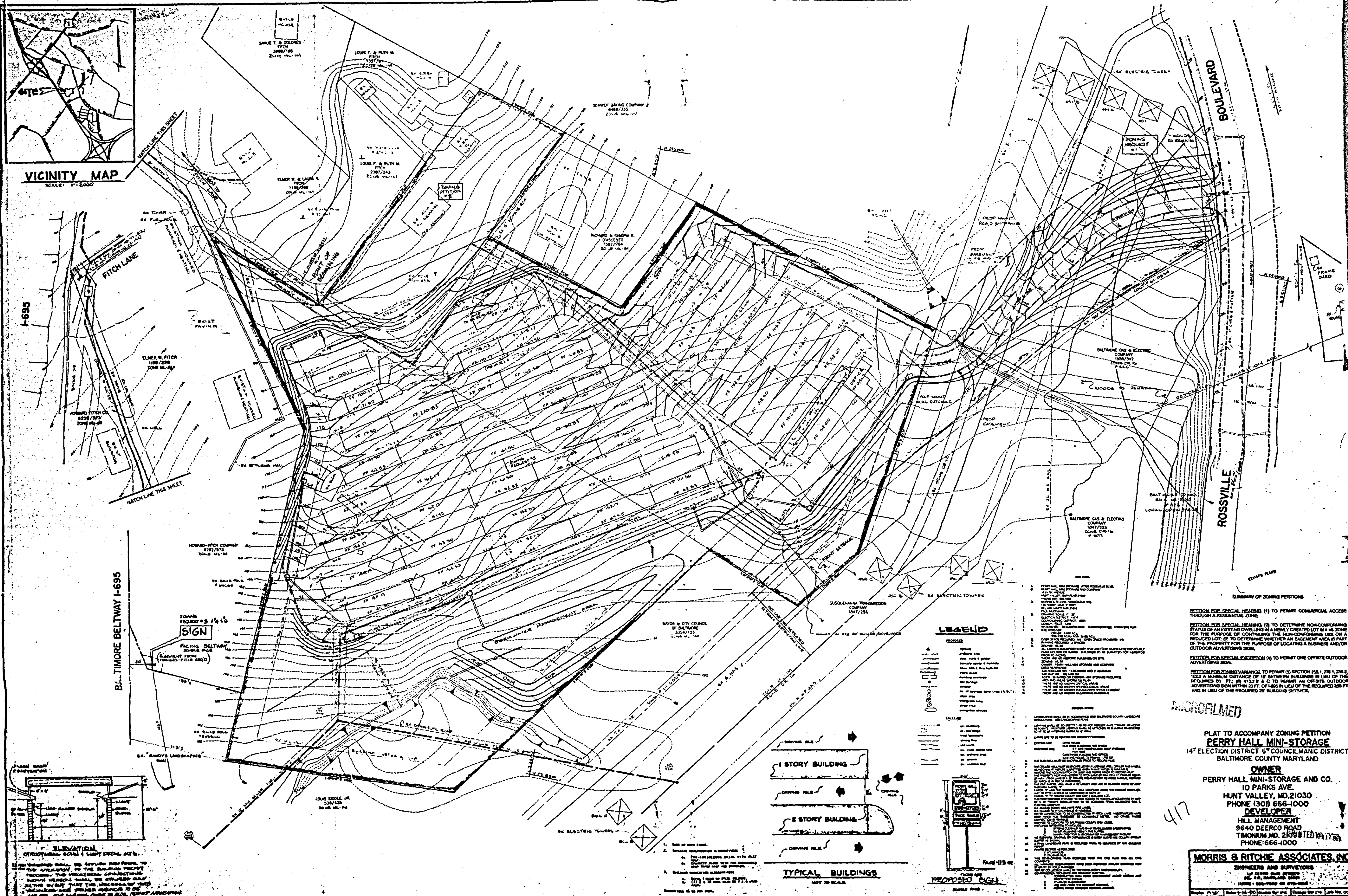
- 2. No sign extends above the roof line of the building; and
- 3. The total surface area of signs affixed to each wall of the building does not exceed, in square feet, 1 1/2 times the length of the wall. [Bill No. 7, 1984.]
- b. One stationary freestanding business sign is permitted for each street to which a lot has direct vehicular access, provided that:
 - 1. Its surface area does not exceed 25 square feet per face; and
 - 2. No part of the sign is more than six (6) feet above the grade level of the street upon which it faces or six (6) feet above the grade level of the lot on which it is erected, whichever measurement permits the greater elevation of the sign. [Bill No. 7, 1984.]
- c. In addition to the signs permitted in subsection 413.6, paragraph a, one stationary identification sign is permitted at each exterior entrance to a use within a building, provided that:
 - 1. It does not project more than two (2) inches from the building; and
 - 2. Its surface area does not exceed one (1) square foot. [Bill No. 7, 1984.]
- d. One stationary freestanding sign is permitted at each vehicular entrance to an industrial and/or office park provided that:
 - 1. Its surface area does not exceed fifty (50) square feet per face; and
 - 2. No part of the sign is more than twelve (12) feet above the grade level of the street upon which it faces or twelve (12) feet above the grade level of the lot on which it is erected, whichever measurement permits the greater elevation of the sign. [Bill No. 7, 1984.]
- e. In addition to the signs permitted in subsection 413.6, paragraphs a, b, c and d, stationary directory signs identifying the names and locations of tenants are permitted for each multi-tenant building, provided that:
 - 1. 75 percent or more of the tenants identified on the sign(s) have independent outside access;
 - 2. The sign(s) are placed within the buildable area of the site and do not project beyond the required minimum building setback line; and

4-74

3. Lettering indicating names and suite numbers of tenants shall not exceed one inch in height and all other lettering does not exceed three inches in height.
[Bill No. 7, 1984.]
4. One stationary freestanding park identification sign is permitted for any industrial and/or office park provided that its surface area does not exceed one hundred fifty (150) square feet per face. [Bill No. 7, 1984.]
5. The light from any one light source permitted by this subsection shall be shielded or directed so that the light intensity or brightness shall not adversely affect surrounding or facing premises. [Bill No. 7, 1984.]

Section 414--TRAILER PARKS [B.C.Z.R., 1955.]

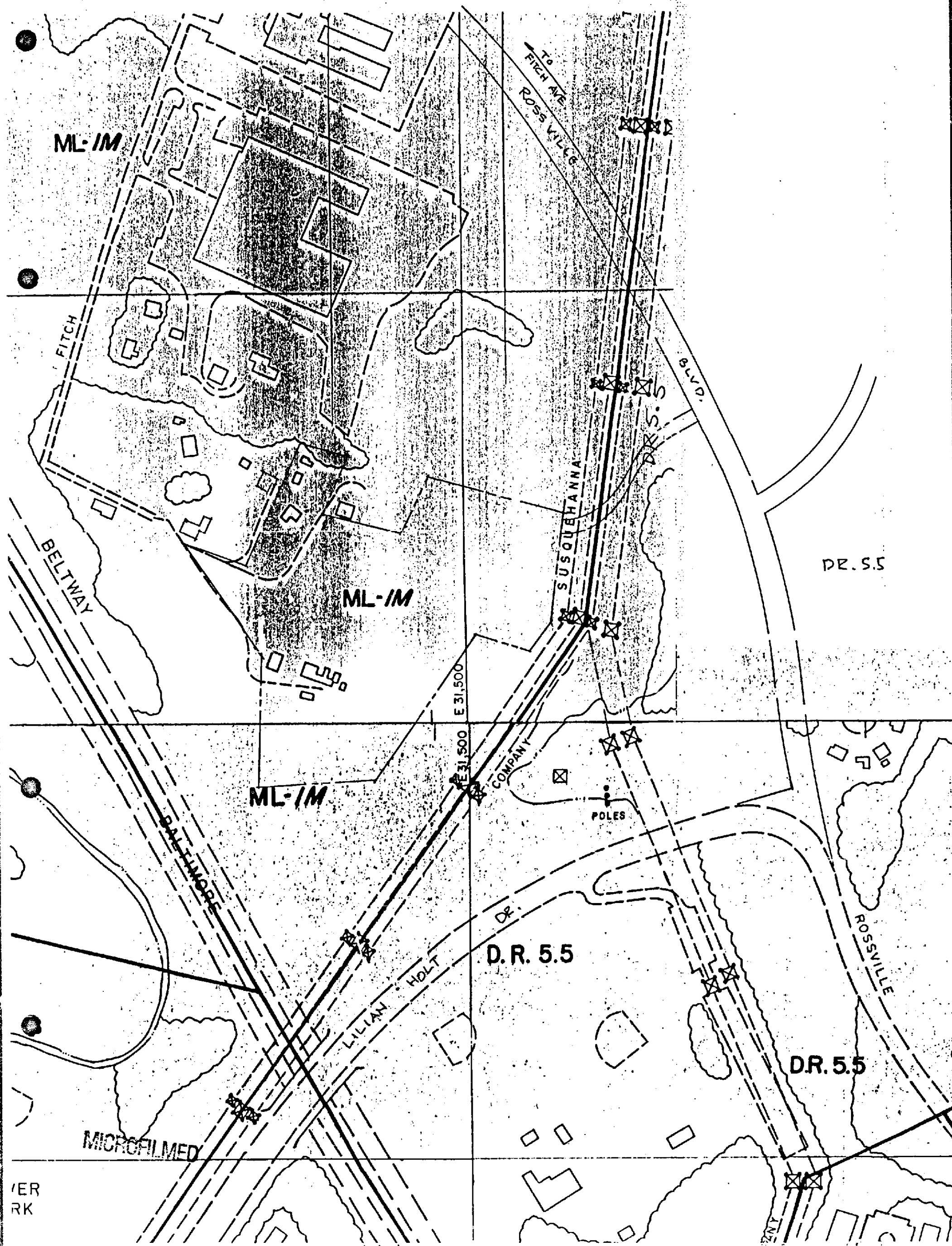
- 414.1--The area of the lot on which such park is to be located shall be not less than 5 acres. [B.C.Z.R., 1955.]
- 414.2--An area of not less than 3,000 square feet shall be allocated to each trailer, which must be connected to sewer, water, and electricity. [B.C.Z.R., 1955.]
- 414.3--Each trailer space shall abut or face on a driveway or unobstructed space of not less than 30 feet in width, which space shall have unobstructed access to a public highway. It shall be hard surfaced and adequately lighted. [B.C. Z.R., 1955.]
- 414.4--No trailer or service building or structure used in connection therewith, shall be placed or permitted within 100 feet of the road or street upon which the lot or area so used for such park fronts, or within 75 feet of any other boundary line of such lot or area. [B.C.Z.R., 1955.]
- 414.5--There shall be a space of not less than 25 feet between each trailer and also a space of not less than 25 feet between any trailer and any service building or structure used in connection with such park. [B.C.Z.R., 1955.]
- 414.6--No such trailer park, nor any service building or structure used in connection therewith shall be established or operated without the approval of and subject to the regulations and requirements of the Baltimore County Health Department. Written approval shall be a required condition prior to issuance of a permit. [B.C.Z.R., 1955.]

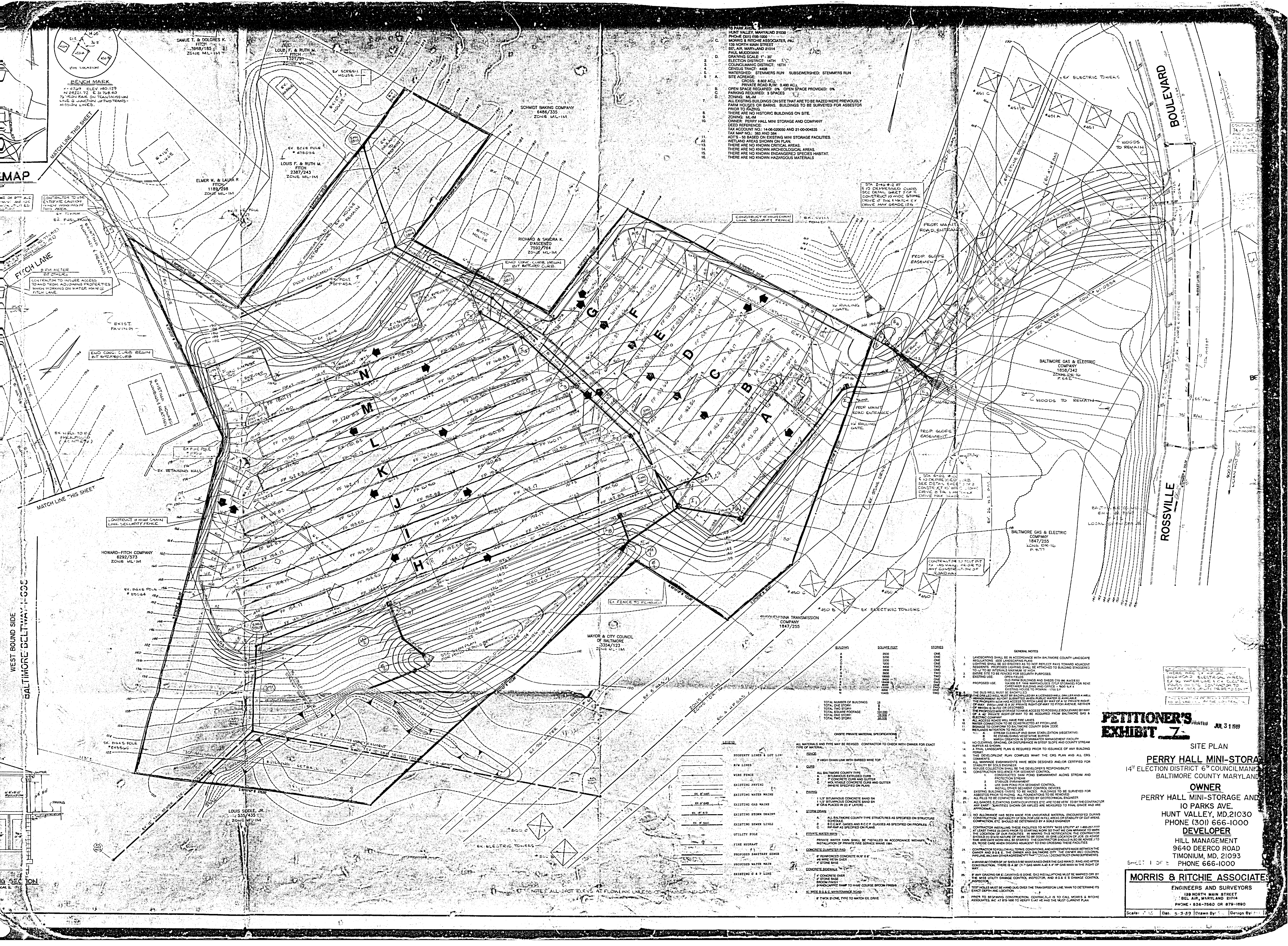


PLAT TO ACCOMPANY ZONING PETITION
PERRY HALL MINI-STORAGE
14TH ELECTION DISTRICT 6TH COUNCILMANIC DISTRICT
BALTIMORE COUNTY MARYLAND
OWNER
PERRY HALL MINI-STORAGE AND CO.
10 PARKS AVE.
HUNT VALLEY, MD.21030
PHONE (301) 666-1000
DEVELOPER
HILL MANAGEMENT
9640 DEERCO ROAD
TIMonium, MD. 21091
PHONE: 666-1000

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS AND SURVEYORS

1"=200'





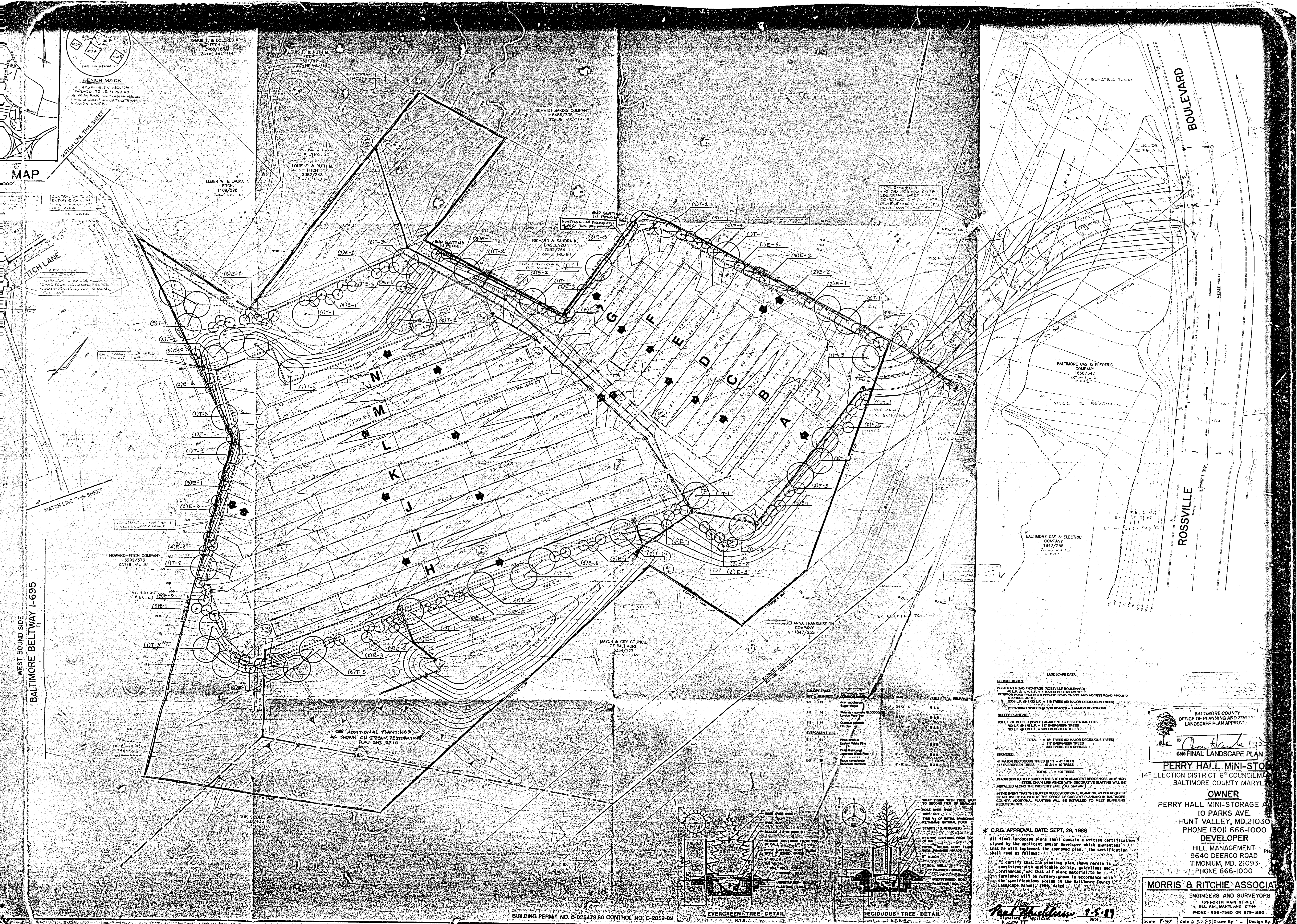
1. HUNT VALLEY, MARYLAND 21000
PHONE (301) 666-1000
2. MORRIS & RITCHIE ASSOCIATES, INC.
129 NORTH MAIN STREET
BEL AIR, MARYLAND 21014
3. PAUL MUDDIANN
ELECTION DISTRICT: 14TH
COUNTYMANIC DISTRICT: 16TH
CENSUS TRACT: 469
WATERSHED: STEMMERS RUN SUBWATERSHED: STEMMERS RUN
4. CROSS: 8802 AC.
PRIVATE ROAD R/W: 8.88 AC.
5. OPEN SPACE REQUIRED: 0% OPEN SPACE PROVIDED: 0%
6. ZONING: ML-IM
7. ALL EXISTING BUILDINGS ON SITE THAT ARE TO BE RAZED WERE PREVIOUSLY
FARM HOUSES OR BARN. BUILDINGS TO BE SURVEYED FOR ASBESTOS
PRIOR TO RAZING.
8. THERE ARE NO HISTORIC BUILDINGS ON SITE.
9. ZONING: ML-IM
10. OWNER: PERRY HALL MINI STORAGE AND COMPANY
11. DEED REFERENCE:
TAX ACCOUNT NO.: 1406-020650 AND 21-00-004535
12. TAX MAP NO.: 383 AND 384
13. ADTS - 50 BASED ON EXISTING MINI STORAGE FACILITIES.
14. WETLAND AREAS SHOWN ON PLAN.
15. THERE ARE NO KNOWN CRITICAL AREAS.
16. THERE ARE NO KNOWN ENDOGENOUS SPECIES HABITAT.
17. THERE ARE NO KNOWN HAZARDOUS MATERIALS.

STA 8+40.912 RT
1/2" D CHIMNEY CURE
SEE DETAIL SHEET 2 OF 2
CONSTRUCT 12" WIDE STONE
DRAINAGE DITCH TO MATCH EX
DRIVE MAY GRADE 15%.

STA 4+00 WILL
CONSTRUCT 12" WIDE STONE
DRAINAGE DITCH TO MATCH EX
DRIVE MAY GRADE 15%.

GENERAL NOTES
1. LANDSCAPING SHALL BE IN ACCORDANCE WITH BALTIMORE COUNTY LANDSCAPE
REGULATIONS (SEE LANDSCAPING PLAN).
2. LIGHTING SHALL BE AS SPECIFIED BY THE OWNER AND SHALL BE ATTACHED TO BUILDING STAGGERS
TO 15' TO 20' INTERVALS MAXIMUM.
3. ENTIRE SITE TO BE FENCED FOR SECURITY PURPOSES.
4. EXISTING USE: OLD FARM BUILDINGS AND SHEDS (TO BE RAZED).
5. PROPOSED USE: MINI STORAGE.
6. THE OLD WELL MUST BE BACKFILLED BY A LICENSED WELL DRILLER AND A WELL
PERMIT MUST BE OBTAINED PRIOR TO BACKFILLING. PUBLIC WATER IS AVAILABLE
AT THE PROPERTY. FENCE LINE IS 12' PRIVATE RIGHT-OF-WAY.
7. THE PROPOSED MINI STORAGE ACCESS TO ROSSVILLE BOULEVARD BY WAY
OF WHICH IS IN FEE OR DESCRIBED.
8. THE PROPOSED MINI STORAGE ACCESS TO ROSSVILLE BOULEVARD BY WAY
OF WHICH IS IN FEE OR DESCRIBED.
9. ALL ADJACENT ELEVATIONS SHOWN OR IMPLIED ARE MEASURED TO FINAL GRADE AND ARE
APPROXIMATE.
10. WATER CONNECTION TO BE CONSTRUCTED AT FITCH LANE
CONNECTION TO CONFORM TO BALTIMORE COUNTY SPECIFICATIONS.
11. WETLANDS MITIGATION TO INCLUDE:
A. STREAM CREATION AND BANK STABILIZATION VEGETATION.
B. RE-ESTABLISHING VEGETATION BUFFER.
C. MARSH CREATING AND WETLANDS MANAGEMENT FACILITY.
12. NO CLEAVING, GRADING, OR DISTURBANCE IN STEEP SLOPE AND COUNTY STREAM
BURNAL AS SHOWN.
13. THE DEVELOPMENT PLAN COMPLETES WHAT THE CRG PLAN AND ALL CRG
COMMENTS.
14. ALL MINOR ELEVATIONS HAVE BEEN DESIGNED AND/OR CERTIFIED FOR
STABILITY BY A SOILS ENGINEER.
15. REUSE COLLECTION SHALL BE THE DEVELOPER'S RESPONSIBILITY.
16. CONSTRUCTION SEQUENCE FOR SEEDING CONTROL.
17. STABLES EMBANKMENT.
18. USE SWM POND FOR SEDIMENT CONTROL.
19. INSTALL OTHER SEDIMENT CONTROL DEVICES.
20. EROSION CONTROL PLAN IS REQUIRED PRIOR TO RESUME OF ANY BUILDING
OR GRADING. THE PLAN SHALL BE SURVEYED FOR
ASBESTOS PRIOR TO RAZING. ALL FOUNDATIONS TO BE REMOVED.
21. ALL FIELDS TO BE COMPLETED AND TESTED BY A GEOTECHNICAL ENGINEER.
22. ALL GRADES ELEVATIONS EARTH QUANTITIES ETC. ARE TO BE VERIFIED BY THE CONTRACTOR
AND THE OWNER. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE TO
EX-10 CASE WHEN DIGGING ADJACENT TO END CROSSING THESE FACILITIES.
23. NO ALLOWANCE HAS BEEN MADE FOR UNREPAIRABLE MATERIAL DISCOVERED DURING
CONSTRUCTION. SATISFACTION OF SOIL FOR USE IN FILL AND/OR REMOVAL OF CUT WARE.
COMPLETION ETC. SHOULD BE DETERMINED BY A SOILS ENGINEER.
24. CONTRACTOR TO FOLLOW ALL TERMS, CONDITIONS, AND AGREEMENTS MADE BETWEEN THE
OWNER AND B.S.E. THE OWNER AND BALTIMORE CITY THE OWNER AND LOCAL
P.L. AND ANY OTHER AGREEMENT THAT IS A CONDITION OF CONSTRUCTION PERMITS.
25. A MINIMUM 10' OF SWM BE MAINTAINED OVER THE GAS MAIN. PWS AND AFTER
CONSTRUCTION, THERE IS A 2' SWM MAIN AND A 4' SWM MAIN IN THE RIGHT OF
WAY.
26. IF ANY GRADING OR EMBANKING IS DONE, GAS INSTALLATIONS MUST BE MARKED OFF BY
THE MISS UTILITY DAMAGE CONTROL, INSPECTOR, AND B.S.E.'S DAMAGE CONTROL
DEPARTMENT.
27. TEST HOLES MUST BE HAND DUG OVER THE TRANSMISSION LINE VAN TO DETERMINE ITS
EXACT DEPTH AND LOCATION.
28. PRIOR TO BEGINNING CONSTRUCTION, CONTRACTOR IS TO CALL MORRIS & RITCHIE
ASSOCIATES, INC. AT 813-1660 TO VERIFY THAT HE HAS THE MOST CURRENT PLAN.

PETITIONER'S EXHIBIT 7 PRINTED JUL 31 1989
SITE PLAN
PERRY HALL MINI-STORAGE
14TH ELECTION DISTRICT 6TH COUNCILMANIC
BALTIMORE COUNTY MARYLAND
OWNER
PERRY HALL MINI-STORAGE AND
10 PARKS AVE.
HUNT VALLEY, MD. 21030
PHONE (301) 666-1000
DEVELOPER
HILL MANAGEMENT
9640 DEERCO ROAD
TIMONUM, MD. 21093
PHONE 666-1000
SHEET 1 OF 2
MORRIS & RITCHIE ASSOCIATES
ENGINEERS AND SURVEYORS
139 NORTH MAIN STREET
BEL AIR, MARYLAND 21014
PHONE 666-7660 OR 879-1880
Scale: 1" = 40' Date: 5-3-89 Drawn By: Design By:



MAP

ITCH LANE

WEST BOUND SIDE
BALTIMORE BELTWAY I-695

BOULEVARD

ROSSVILLE

DECIDUOUS TREES		QUANTITY	SIZE	PLANTING
1	1	1	1	1
2	2	2	2	2
3	3	3	3	3
4	4	4	4	4
5	5	5	5	5
6	6	6	6	6
7	7	7	7	7
8	8	8	8	8
9	9	9	9	9
10	10	10	10	10
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93	93	93	93	93
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100	100	100	100	100

REQUIREMENTS:
ADJACENT ROAD FRONTAGE (ROSSVILLE BOULEVARD)
40' L.F. @ 1/2" L.F. = 1 MAJOR DECIDUOUS TREE
STORAGE LOT
200' L.F. @ 1/2" L.F. = 118 TREES (99 MAJOR DECIDUOUS TREES)
80 PARKING SPACES @ 1/12" SPACES = 2 MAJOR DECIDUOUS TREES
BUFFER PLANTING:
70' L.F. OF BUFFER (R/W) ADJACENT TO RESIDENTIAL LOTS
100' L.F. @ 1/2" L.F. = 117 EVERGREEN TREES
700' L.F. @ 1/2" L.F. = 233 EVERGREEN TREES
TOTAL = 100 TREES
117 TREES (80 MAJOR DECIDUOUS TREES)
117 EVERGREEN TREES
233 EVERGREEN TREES
TOTAL = 100 TREES
IN ADDITION TO HELP SCREEN THE SITE FROM ADJACENT RESIDENCES, AN 8' HIGH
STEEL CHAIN LINK FENCE WITH DECORATIVE SLATING WILL BE
INSTALLED ALONG THE PROPERTY LINE. (SEE SHEET 10)
IN THE EVENT THAT THE BUFFER NEEDS ADDITIONAL PLANTING, AS PER REQUEST
BY THE PROPERTY OWNER, THE OFFICE OF PLANNING AND ZONING IN BALTIMORE
COUNTY, ADDITIONAL PLANTING WILL BE INSTALLED TO MEET BUFFERING
REQUIREMENTS.

* C.R.G. APPROVAL DATE: SEPT. 29, 1988
All final landscape plans shall contain a written certification
signed by the applicant and/or developer which guarantees
that he will implement the approved plan. The certification
shall read as follows:
"I certify that the planting plan shown hereto is
consistent with applicable city, state and/or federal
ordinances, and that all plant material to be
furnished will be nursery-grown in accordance with
the specifications stated in the Baltimore County
Landscape Manual, 1984, dated _____."

Signature of Applicant: *Paul H. Shuster* 1-8-89
Date: 1-8-89
Scale: 1" = 30' Date: 6-22-89 Drawn By: Design By:

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
LANDSCAPE PLAN APPROVE
PERRY HALL MINI-STO
14TH ELECTION DISTRICT 6TH COUNCILMAN
BALTIMORE COUNTY MARYLAND
OWNER
PERRY HALL MINI-STORAGE A
10 PARKS AVE.
HUNT VALLEY, MD. 21030
PHONE (301) 666-1000
DEVELOPER
HILL MANAGEMENT
9640 DEERCO ROAD
TIMONUM, MD. 21093
PHONE 666-1000

MORRIS & RITCHIE ASSOCIATES
ENGINEERS AND SURVEYORS
139 NORTH MAIN STREET
BEL AIR, MARYLAND 21034
PHONE 836-7560 OR 879-1690

BUILDING PERMIT NO. B-036479.80 CONTROL NO. C-2052-89

EVERGREEN TREE DETAIL

DECIDUOUS TREE DETAIL

ORDER RECEIVED FOR FILING

DESCRIPTION TO ACCOMPANY
APRIL 13, 1989
PAGE 2

BINDING ON THE THIRD, FOURTH, FIFTH, FIRST, AND
PART OF THE SECOND LINES OF SAID SCHEDULE A,
FIVE COURSES, VIZ:

10. SOUTH 34° 41' 42" WEST 412.89 FEET,
11. SOUTH 85° 41' 42" WEST 270.00 FEET,
12. NORTH 01° 41' 42" EAST 399.00 FEET,
13. NORTH 37° 33' 33" WEST 255.72 FEET, AND
14. SOUTH 69° 28' 42" EAST 152.30 FEET TO THE PLACE
OF BEGINNING.

CONTAINING 8.802 ACRES OF LAND MORE OR LESS.

BEING THE SAME AND ALL THE LAND CONVEYED BY AND DESCRIBED IN A DEED
FROM PUTTY HILL MINI-STORAGE & CO. TO PERRY HALL MINI-STORAGE &
CO. DATED SEPTEMBER 12, 1988 AND RECORDED AMONG THE LAND RECORDS
OF BALTIMORE COUNTY, MARYLAND IN LIBER 8027, PAGE 492.



LAW OFFICES
EVANS, GEORGE AND BRONSTEIN
SUSQUEHANNA BUILDING, SUITE 205
29 WEST SUSQUEHANNA AVENUE
TOWSON, MARYLAND 21204
(301) 887-0200
FAX (301) 887-3710

May 19, 1989

WALLACE DARN
COUNSEL

The Honorable J. Robert Haines
Zoning Commissioner for
Baltimore County
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
7750 Rossville Boulevard
Item No. 417

Dear Commissioner Haines:

I am enclosing three copies of the Petition for Special
Hearing pursuant to your letter of April 18, 1989 and my letter of
April 28, 1989, copies of which are enclosed. This completes the
submission of all petitions in this matter.

Thank you for your kind cooperation.

Very truly yours,

EVANS, GEORGE & BRONSTEIN

Benjamin Bronstein

BB/bjs
Enclosures
cc: John Sullivan, Development Control Office

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1424 Date of Posting: 7/15/89
Posted for: Special Hearing, Special Exception & Variance
Petitioner: Perry Hall Mini-Storage Co.
Location of property: East of Fitch, 380' SE of end of Fitch Lane
Location of Sign: 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21204
Number of Signs: 3

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 7, 1989
THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on July 6, 1989

NORTHEAST TIMES
THE JEFFERSONIAN.

S. Zeke Orlean
Publisher

P013657
ng H30996
cc 90-17-SPHXA
price \$ 104.88

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

April 16, 1989

Benjamin Bronstein, Esquire
Evans, George & Bronstein
29 West Susquehanna Avenue
Suite 205
Towson, MD 21204

RE: Petitions for Zoning Variance,
Special Exception, & Special Hearing
7750 Rossville Boulevard
Filed 4/4/89; Item No. 417

Dear Mr. Bronstein:

As you were informed on April 4, 1989, the date of your appointment,
your request requires additional forms. This petition was accepted on
condition that corrections would be made in a timely manner. To date, no
revisions have been received by this office. If the requested additions
are not received within 15 days, the petition will be dismissed and the
fees not refunded.

If you have any questions, you may call John Sullivan of the
Development Control Office at 887-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner

JJS:ecj

cc: T.C. Julio
Meredith R. Howard
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

DATE 7/17/89

Perry Hill Mini Storage Company
9640 Oerco Road
Timonium, Maryland 21063

ATTN: T. C. JULIO, GENERAL PARTNER

RE: Petitions for Special Hearing, Special Exception & Zoning Variance
CASE NUMBER: 90-17-SPHXA
End of private road, 380' SE of end of Fitch Lane
7750 Rossville Boulevard
14th Election District - 8th Councilmanic
Petitioner(s): Perry Hill Mini Storage Company
HEARING SCHEDULED: TUESDAY, AUGUST 1, 1989 at 9:30 a.m.

Gentlemen:

Please be advised that \$179.88 is due for advertising and posting of
the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S)
RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.
DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY
UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the
check and the sign & post set(s) to the Zoning Office, County Office Build-
ing, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15)
minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND No. 068391
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 7/15/89 ACCOUNT 901 615 000
AMOUNT \$ 179.88

RECEIVED FROM Perry Hall Mini Storage Co.
FOR: 90-17-SPHXA

B 0226*****17588:2 3012F

VALIDATION OR SIGNATURE OF CASHIER

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS
Theodore C. Julio 9640 Oerco Rd. Timonium Md. 21063
PAUL T. MUDDIMAN 124 N. MAIN ST. BELAIR MD 21014
ROBERT F. BRONSTEIN 194 N. MAIN ST. BELAIR MD 21014
BENJAMIN BRONSTEIN 29 W. SUSQUEHANNA AVE. TOWSON 21204

August 17, 1989

Baltimore County Zoning Office
County Office Building
111 West Chesapeake Ave.
Towson, Maryland 21204
Attn: J. Robert Haines

RE: Case # 90-17-SPHXA
Hearing Date: 8/1/89
Perry Hall Mini-Storage Co.

Dear Mr. Haines,

Being property owners that sit adjacent to the property in question we
object to the request of Hill Management. If the decision from
Baltimore County would be favorable to Hill Management, we would like
to know what we must do to appeal the decision.

Our concerns with this matter are the general appearance of the
immediate area and construction inconvenience; since we use our
property for residential purposes. I would ask to be kept in mind that
improper planning on Ted Julio's (Hill Management) part should not
render an emergency on our part.

Your reply and consideration will be appreciated.

Sincerely,

Richard D'Ascenzo
Richard & Sandra D'Ascenzo
7605 Fitch Lane
Baltimore, Md 21236

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

June 23, 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act
and Regulations of Baltimore County will hold a public hearing on the property
identified herein in Room 106 of the County Office Building, located at 111
W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Hearing, Special Exception & Zoning Variance
CASE NUMBER: 90-17-SPHXA
End of private road, 380' SE of end of Fitch Lane
7750 Rossville Boulevard
14th Election District - 8th Councilmanic
Petitioner(s): Perry Hill Mini Storage Company
HEARING SCHEDULED: TUESDAY, AUGUST 1, 1989 at 9:30 a.m.

Special Hearing: To approve commercial access through a residential zone. Special Exceptions
For off-site outdoor advertising sign. Variance to permit a minimum distance of 18 feet
between buildings in lieu of the required 60 feet; to permit an off-site outdoor advertising
sign within 20 feet of 1-695 in lieu of the required 250 feet and in lieu of the required 25
foot building setback.

In the event that this Petition is granted, a building permit may be issued
within the thirty (30) day appeal period. The Zoning Commissioner will, however,
entertain any request for a stay of the issuance of said permit during this
period for good cause shown. Such request must be in writing and received in
this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Perry Hall Mini Storage Company
Howard-Fitch Company
Morris & Ritchie Engineers & Associates
Benjamin Bronstein, Esq.
File

IN THE MATTER OF
Pickersgill SE/E
Chestnut Avenue
Towson, Maryland

* BEFORE THE ZONING
COMMISSIONER OF
BALTIMORE COUNTY
SHERIFF'S OFFICE
* BAENSE NO. 89-444-SPH

SUBPOENA

Please process in accordance with Zoning Commission
Rule IV (c).

TO: Herb Meade 631-3442
State Dept. of Environment, Underground Storage Tank Division
2500 Broening Highway
Baltimore, Maryland
YOU ARE HEREBY COMMANDED TO: () Personally appear; () Produce
documents and or objects only; (X) Personally appear and produce
documents or objects;

at Room 106, County Office Building, 111 W. Chesapeake Ave., Towson, MD
(Place where attendance is required)

on Tuesday the 22nd day of August
19 89, at 9:30 a.m./MXX

YOU ARE COMMANDED TO produce the following documents or
objects: Any and all documents, files, notes, memos, schematics,
studies, data, and any and all information that relates to the
subject property and development plans.

J. Carroll Holzer, 305 W. Chesapeake Avenue, Towson, MD 21204
(Name of Party or Attorney, Address and Phone Number requesting
subpoena) 825-6960

Date 8-9-89

01/4/89 8:03 P.M.
Miss Phaedra R. Sheriff's Return
(X) Served and copy delivered on date indicated below.
() Unserved, by reason of Fee:\$

J. Robert Haines
Zoning Commissioner
J. Anderson
SHERIFF, Baltimore City
J. Daily

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180 887-3180
December 15, 1989
NOTICE OF REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 90-17-SPHXA PERRY HALL MINI STORAGE CO.
End of private road, 380' ± SE of the end of
Fitch Lane (7750 Rossville Boulevard)
14th Election District
6th Councilmanic District.

SPH - nonconforming use/existing dwelling on reduced lot, location of advertising sign and commercial access through residential zone
SE - outdoor sign
VAR - setbacks and sign

9/12/89 - Z.C.'s Order DENYING in part; GRANTING with restrictions in part.
which was scheduled for hearing on May 30, 1990 has been reassigned at the request of Counsel for Petitioner. Cases on Petitions for Variance previously scheduled for January 30, 1990 (Case Nos. 89-490-A and 89-493-A) will be withdrawn.

REASSIGNED FOR: TUESDAY, JANUARY 30, 1990 at 10:30 a.m.

cc: Benjamin Bronstein, Esquire Counsel for Petitioner

Theodore C. Julio
Perry Hall Mini-Storage Co.

Paul T. Muddiman
Robert F. Bradley
Catherine C. Warfield Dept. of Public Works
Mr. and Mrs. R. D'Ascenzo
People's Counsel for Baltimore County

P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

LindaLee M. Kusmaul
Legal Secretary

RECEIVED
DEC 18 1989
ZONING OFFICE

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, LANDSCAPE ARCHITECTS & SURVEYORS
406-D ROSLEY AVENUE
TOWSON, MARYLAND 21204
(301) 821-1600
FAX: (301) 821-1748

RICHARD MORRIS, P.E.
KIRK RITCHIE, P.L.E.
THOMAS O'LAUGHLIN
JOHN L. WIRTH, P.E.
ROBERT F. BRADLEY, P.E.

MICHAEL J. EITEL, P.E.
DENNIS ALLEGIER
E. DONALD LASSAUM

January 15, 1990

J. Robert Haines
Zoning Commissioner
Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Subject: Perry Hall Mini Storage
Case #90-17-SPHXA
Building permit #'s 36479 & 80

Dear Mr. Haines:

As requested in your decision of the special hearings case, please find the approved landscape plan for the above referenced project.

Sincerely,

Debbie Power
Processing Specialist

cc: Ted Julio - Hill Management
Paul Muddiman

RECEIVED
JAN 16 1990
ZONING OFFICE

RECEIVED JAN 28 1990

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

September 12, 1989

Benjamin Bronstein, Esquire
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND ZONING VARIANCE
End of Private Road, 380' ± SE of the end of Fitch Lane
(7750 Rossville Boulevard)
14th Election District - 6th Councilmanic District
Perry Hall Mini-Storage Company, Inc. - Petitioners
Case No. 90-17-SPHXA

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. Petitions for Special Hearing, Special Exception and Zoning Variance have been granted in part and denied in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
Zoning Commissioner
for Baltimore County

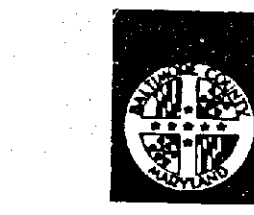
JRH:bjs

cc: Mr. & Mrs. Richard D'Ascenzo
7605 Fitch Lane, Baltimore, Md. 21236

People's Counsel

File

Ms. Catherine C. Warfield
Department of Public Works



Dennis F. Rasmussen
County Executive

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

October 10, 1989

Benjamin Bronstein, Esquire
Evans, George and Bronstein
Susquehanna Building, Suite 205
29 West Susquehanna Avenue
Towson, Maryland 21204

RE: Case #90-17-SPHXA
Perry Hall Mini-Storage Co.
Petitioners

Dear Mr. Bronstein:

Recently, you and your client approached me concerning the restrictions contained in my Order of September 12, 1989 regarding Perry Hall Mini-Storage Company's location.

I have further researched the issue of the proper distances between buildings within mini-warehouse locations and, I firmly believe that your client's request of 18 feet between buildings is too narrow.

I have had an opportunity to discuss this matter with the Deputy Director of the Office of Planning and he has informed me that his office has also taken the position that 26 feet between buildings is more appropriate. I have attached a copy of the Office of Planning Performance Standards for your information.

I would like to point out that I came to the same conclusion regarding the 26 feet distance independent of the Performance Standards by the Planning Office.

Very truly yours,
J. Robert Haines
Zoning Commissioner

JRH:mmm
att.

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & VARIANCES - * ZONING COMMISSIONER
End of private road, 380' ± SE of the end of Fitch Lane * OF BALTIMORE COUNTY
(7750 Rossville Boulevard) * Case No. 90-17-SPHXA
14th Election District
6th Councilmanic District
Perry Hall Mini-Storage Co.
Petitioners

ORDER TO ENTER APPEAL

To the Honorable J. Robert Haines, Zoning Commissioner for Baltimore County:

Please enter an appeal to the Board of Appeals from that part of the Order of the Zoning Commissioner dated September 12, 1989, denying that part of the relief requested in the Petition for Special Exception, Petition for Special Hearing, and Petition for Variance.

EVANS, GEORGE & BRONSTEIN

By: Benjamin Bronstein
Susquehanna Building, Suite 205
29 W. Susquehanna Avenue
Towson, Maryland 21204

for Petitioner

pay of Oct

t class, postage pre-
p, 7605 Fitch Lane,

Benjamin Bronstein

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: November 22, 1989

TO: J. Robert Haines, Zoning Commissioner
Zoning Administration

FROM: Catherine L. Warfield, P.E., Chief
Water Design & Approval Section

SUBJECT: CASE NO. 90-17 SPHXA
PERRY HALL MINI STORAGE

Page 8, Item 3, of Findings of Facts and Conclusions of Law states that the Department of Public Works must provide written approval that Building A will not hinder construction of the proposed 86" water transmission main to be built in the vicinity of the Perry Hall Mini Storage site.

This letter is the approval to build Building A as shown on the plat to accompany the zoning petition for the Perry Hall Mini Storage. Subsequent plats define Building A as Building N, which is at the same location as Building A. The alignment of the proposed 86" water transmission main, which is currently being designed, is not impacted adversely by Building A(N).

CLW:bjk

cc: T. Julio - Hill Management Services, Inc.

RECEIVED
NOV 24 1989
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: July 31, 1989

TO: J. Robert Haines
Zoning Commissioner

FROM: Catherine L. Warfield, Chief
Water Design & Approval Section

SUBJECT: ZONING COMMENTS 90-17

Baltimore County is planning a 96" water transmission project to serve the future Fullerton Reservoir. Attached are plats showing alternate routes for the main. One of the alignments is parallel to the existing 96" Susquehanna raw water line which passes through the Perry Hall Mini-Storage site. The southeasternmost portion of the site has been identified as an easement area in the legend. The selected alignment for the Fullerton main also will connect to the Susquehanna main at a point which will affect the access road.

Before a decision is made regarding this request, please contact me for further discussion.

CLW:bjk

RECEIVED
JUL 31 1989
ZONING OFFICE

TABLED C.R.G. REFINEMENT
PERRY HALL MINI-STORAGE

Plan Received in Zoning: 6/20/90
Comments Date: 6/21/90

The Zoning Commissioner has reviewed the red-lined plan and determined that a special hearing will be required to amend the approved plan in zoning case #90-17-SPHXA in order to allow the proposed auto camper, R.V., construction equipment or boat parking use.

JOHN C. LEWIS
PLANNING & ZONING ASSOCIATE III

JLL:scj

cc: Frank Fisher, Current Planning
John Sullivan, Zoning Office
Zoning File #90-17-SPHXA
Waiver File

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 90-17-SPHXA
Towson, Maryland

District: 14th Date of Posting: 11/17/89
Posted for: Appeal
Petitioner: Perry Hall Mini-Storage Co.
Location of property: 7750 Rossville Blvd. - SE end of
Fitch Lane
Location of Sign: Fitch Lane - at location where
proposed entrance to property
Remarks:
Posted by: [Signature] Date of return: 11/17/89
Number of Signs: 1

MORRIS & RITCHIE ASSOCIATES, INC.
CIVIL ENGINEERS & SURVEYORS
139 NORTH MAIN STREET
SUITE 200
BEL AIR, MARYLAND 21014
AREA CODE 301
836-7560
879-1690

RESUME
ROBERT F. BRADLEY

EDUCATION:
Bachelor of Science, Civil Engineering, 1973
The Johns Hopkins University
Master of Business Administration, 1982
Wilmington College

PROFESSIONAL REGISTRATION:
Professional Engineer, Maryland #8641
Professional Engineer, Delaware #4579
Professional Engineer, Pennsylvania #19891-E
Professional Engineer, New Jersey #20658
Professional Engineer, Virginia #7663
Professional Land Surveyor, Pennsylvania #18-A
Professional Planner, New Jersey #2261

ORGANIZATIONS:
Homebuilders Association of Maryland, Baltimore County Chapter, Board of Directors and Chairman, Public Works Committee.
Professional Services Management Association, Member

FACETS, Inc., Board of Directors

EXPERIENCE:
1988 to Present
Vice President/Principal, Morris & Ritchie Associates, Inc. - Responsible for management of land planning and design staff, review of plans and specifications, coordination with reviewing agencies and client relations for projects in Maryland, Delaware and Pennsylvania.

1982 to 1988
Senior Vice President/Principal, Daft-McCune-Walker, Inc. - Responsible for the preparation of all plans and engineering construction documents for a design staff of 75 engineers, landscape architects, and technicians on land development projects in the Baltimore Metropolitan Area. Principal and project management responsibility included concept plans through construction coordination as well as agency processing and client relations. As an owner of the firm, responsibility included business management of day to day operations.

1973 to 1982
Vice President/Division Chief, Kilde Consultants, Inc. - Responsible for all administrative, technical, and marketing management of the engineering, surveying, and construction inspection services in the Delmarva, southeastern Pennsylvania, and southern New Jersey areas. Activities included all types of residential, commercial, industrial, and institutional projects for public and private sectors. Also, project experience includes highway design, municipal public works systems, grant applications, expert witness testimony and site analysis.

1964 to 1973
Engineer, Designer, and Draftsman, Kilde Consultants, Inc. - Responsible for the preparation of designs and construction documents for road, utility, stormwater management, grading, and sediment control improvements for land development projects; plans, and specifications for community wide storm drain system improvements.

PRESENTATIONS:
Numerous presentations and guest speaker appearances at meetings and seminars sponsored by the National Association of Homebuilders, Homebuilders Association of Delaware, and realtor groups on such topics as land use, land subdivision, and alternate wastewater systems.

PETITIONER'S EXHIBIT 3

04/26/89:182.cb:WV#3:4061-52-ec

DEED OF EASEMENT AND AGREEMENT

THIS DEED OF EASEMENT AND AGREEMENT, Made this 26th day of June, 1989, by and between HOWARD FITCH COMPANY, a Maryland General Partnership, hereinafter referred to as "Grantor" and PERRY HALL MINI-STORAGE & CO., a Maryland General Partnership, hereinafter referred to as "Grantee".

WITNESSETH

WHEREAS, the Grantee desires to construct and maintain a ten (10) foot wide easement across the lands of Grantor as hereinafter described, for purposes of ingress and egress, installation and maintenance of power wiring, conduit and electrical service, and the erection and maintenance of a sign, and the Grantor is willing to grant such rights.

NOW, THEREFORE, in consideration of the premises and the sum of sum of ONE AND 00/100 DOLLARS (\$1.00), the receipt whereof is hereby acknowledged, the said Grantor hereby grants and conveys unto Grantee, its successors and assigns, a ten (10) foot wide easement and right of way for purposes of ingress and egress, the installation of power wiring, conduit and electrical service, and the erection and maintenance of a sign, in, on, through and across the land of Grantor, situate in Baltimore County, State of Maryland, which easement is more fully described as follows:

SITUATE in the Fourteenth Election District of Baltimore County.

SEE Exhibit "A" attached hereto and incorporated herein by reference for description.

SEE plat marked as Exhibit "B" which is attached hereto and incorporated herein by reference.

04/26/89:182.cb:WV#3:4061-52-ec

AND, the Grantor does hereby agree that the said Grantee, its successors and assigns, shall have the complete and unfettered use of the easement and right of way granted hereunder, for ingress and egress purposes, the installation and maintenance of power wiring, conduit, and electrical service aforesaid, and the installation, wiring and maintenance of a double-faced business sign, and the said Grantor does hereby agree that Grantee, its successors and assigns, shall have the right and privilege of entering upon the aforesaid land, whenever it may be necessary, to make openings and excavations, and to lay, construct and maintain said power wiring and appurtenances, provided, however, that the grounds shall be restored and left in good condition;

AND, it is further agreed that no buildings or similar structures of any kind shall be erected in, on, or over the said easement by the Grantor, its successors or assigns; nor shall the existing grade be changed without prior approval of the Baltimore County Bureau of Engineering.

AS WITNESS the due execution hereof by the aforementioned Grantor.

WITNESS:

HOWARD FITCH COMPANY,
a Maryland General Partnership
By: Meredith R. Howard
General Partner

04/26/89:181.cb:WV#3:4061-52-ec

STATE OF Maryland
COUNTY OF Baltimore, To Wit:

I HEREBY CERTIFY that on this 26 day of June, 1989, before me, a Notary Public in and for the State and County aforesaid, personally appeared Meredith R. Howard who acknowledged himself to be a general partner of Howard Fitch Company, a Maryland General Partnership known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained as the duly authorized general partner of said partnership by signing the name of the partnership by himself as general partner.

Nancy C. Nicolay
Notary Public

My Commission Expires: July 1, 1990

MORRIS & RITCHIE ASSOCIATES, INC.
CIVIL ENGINEERS & SURVEYORS
139 NORTH MAIN STREET
SUITE 200
BEL AIR, MARYLAND 21014
AREA CODE 301
836-7560
879-1690
FAX 879-1820

APRIL 6, 1989

10 FOOT WIDE ACCESS, UTILITY AND SIGN EASEMENT ACROSS THE LAND OF HOWARD-FITCH COMPANY, LOCATED ON THE EAST SIDE OF I-695, FOURTEENTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

BEGINNING FOR THE SAME AT AN IRON PIN HERETOFORE SET AT THE BEGINNING OF THE ELEVENTH OR NORTH 85° 11' 19" WEST 135.77 FOOT LINE DESCRIBED IN SCHEDULE A ATTACHED TO A DEED FROM ALAN AMECHE, ET AL, TO HOWARD-FITCH COMPANY DATED MAY 30, 1981 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND IN LIBER 6292, PAGE 573. SAID POINT ALSO BEING IN AND DISTANT 94.06 FEET FROM THE BEGINNING OF THE FIFTH OR NORTH 01° 41' 59" EAST 399.00 FOOT LINE OF SCHEDULE A ATTACHED TO A DEED FROM PUTTY HILL MINI-STORAGE & CO., TO PERRY HALL MINI-STORAGE & CO., DATED SEPTEMBER 12, 1988 AND RECORDED AMONG THE AFORESAID LAND RECORDS IN LIBER 8027, PAGE 492, THENCE LEAVING THE LAST MENTIONED FIFTH LINE AND BINDING ON ALL OF THE ELEVENTH AND PART OF THE FIRST LINES OF THE FIRST MENTIONED DEED, AS NOW SURVEYED.

1. NORTH 85° 05' 18" WEST 135.77 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE BALTIMORE BELTWAY, INTERSTATE ROUTE 695, AND
2. NORTH 29° 29' 19" WEST 12.12 FEET, THENCE LEAVING THE SIDE OF SAID BELTWAY AND THE SAID FIRST LINE AND RUNNING THROUGH AND ACROSS THE LAND DESCRIBED IN THE FIRST

Exhibit "A"

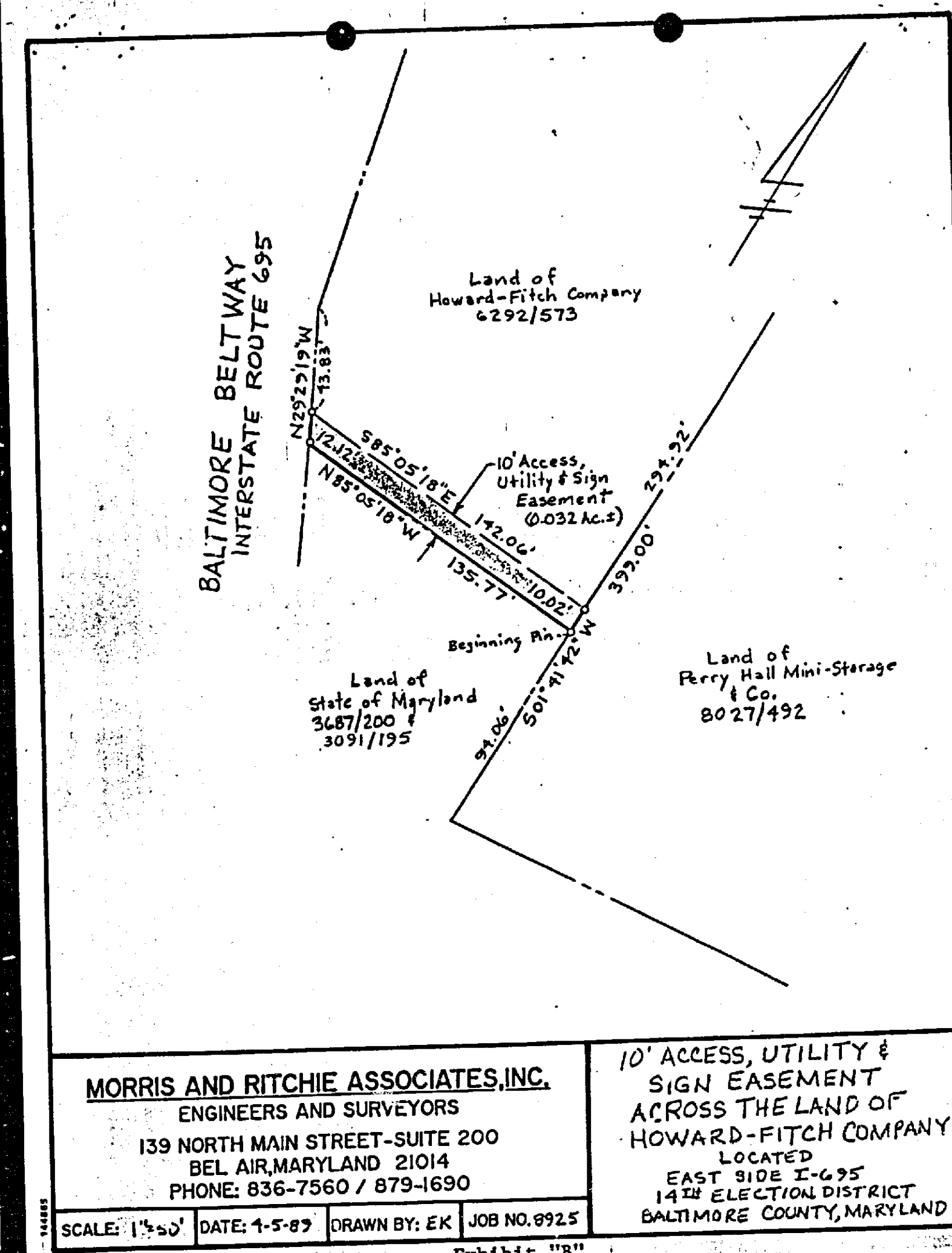
10 FOOT WIDE
APRIL 6, 1989
PAGE 2

MENTIONED SCHEDULE A.

3. SOUTH 85° 05' 18" EAST 142.06 FEET TO A POINT AND TO INTERSECT THE TENTH LINE OF THE FIRST MENTIONED CONVEYANCE AND THE FIFTH LINE OF THE SECONDLY MENTIONED CONVEYANCE, THENCE BINDING THEREON.
4. SOUTH 01° 41' 42" WEST 10.02 FEET TO THE PLACE OF BEGINNING.

CONTAINING 0.032 ACRES OF LAND MORE OR LESS.

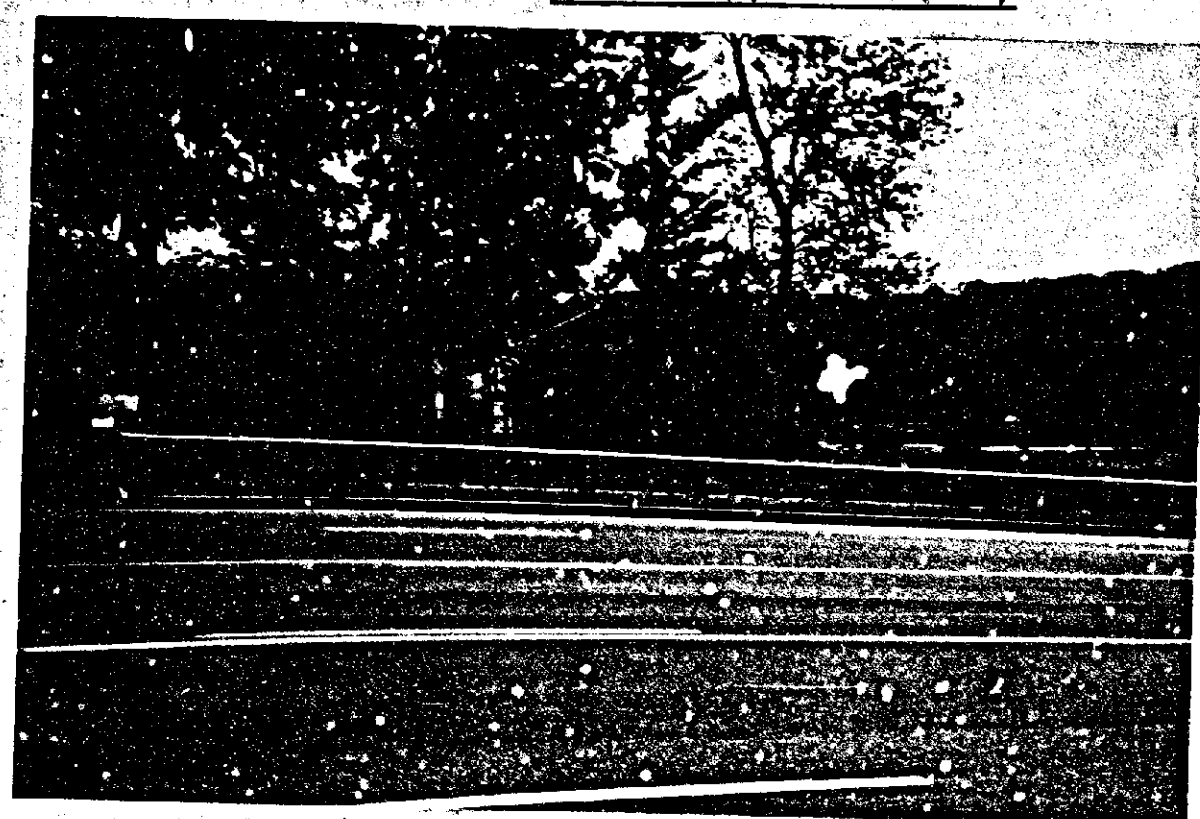
BEING PART OF THE LAND CONVEYED BY AND DESCRIBED IN A DEED FROM ALAN AMECHE, ET AL, TO HOWARD-FITCH COMPANY DATED MAY 30, 1981 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY, MARYLAND IN LIBER 6292, PAGE 573.



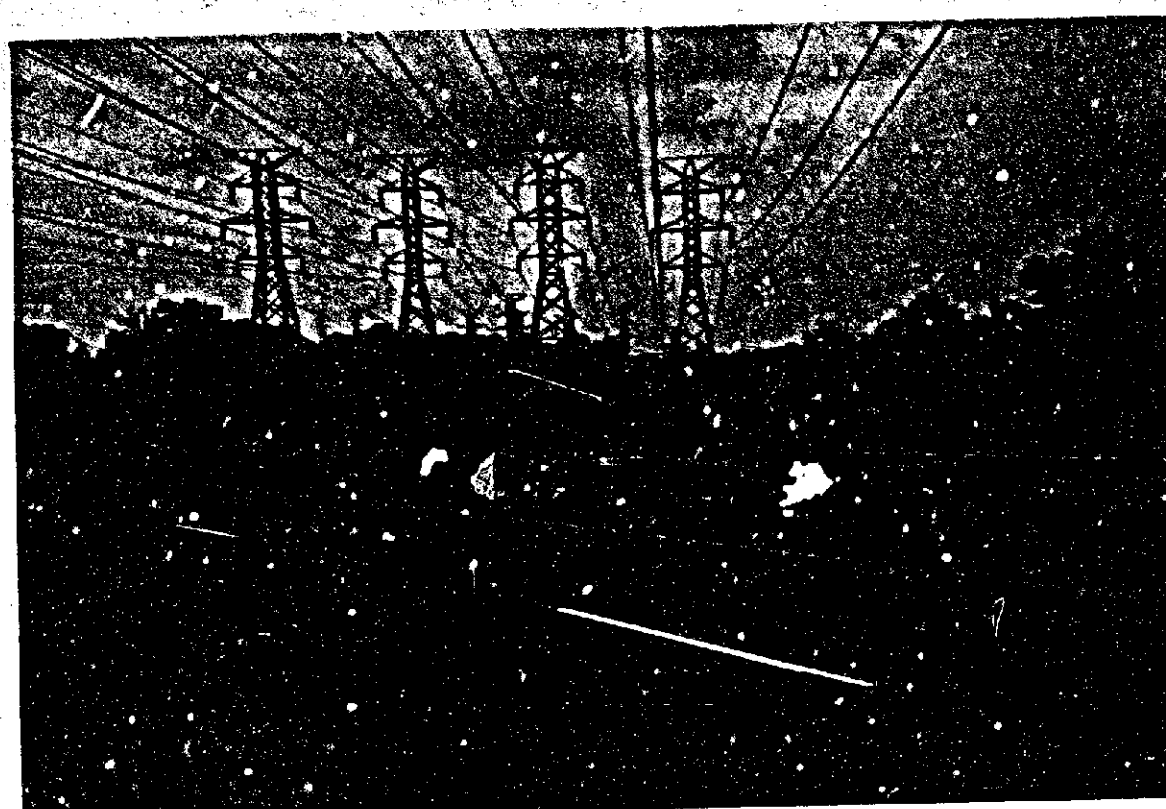
PETITIONER(S) EXHIBIT (4)



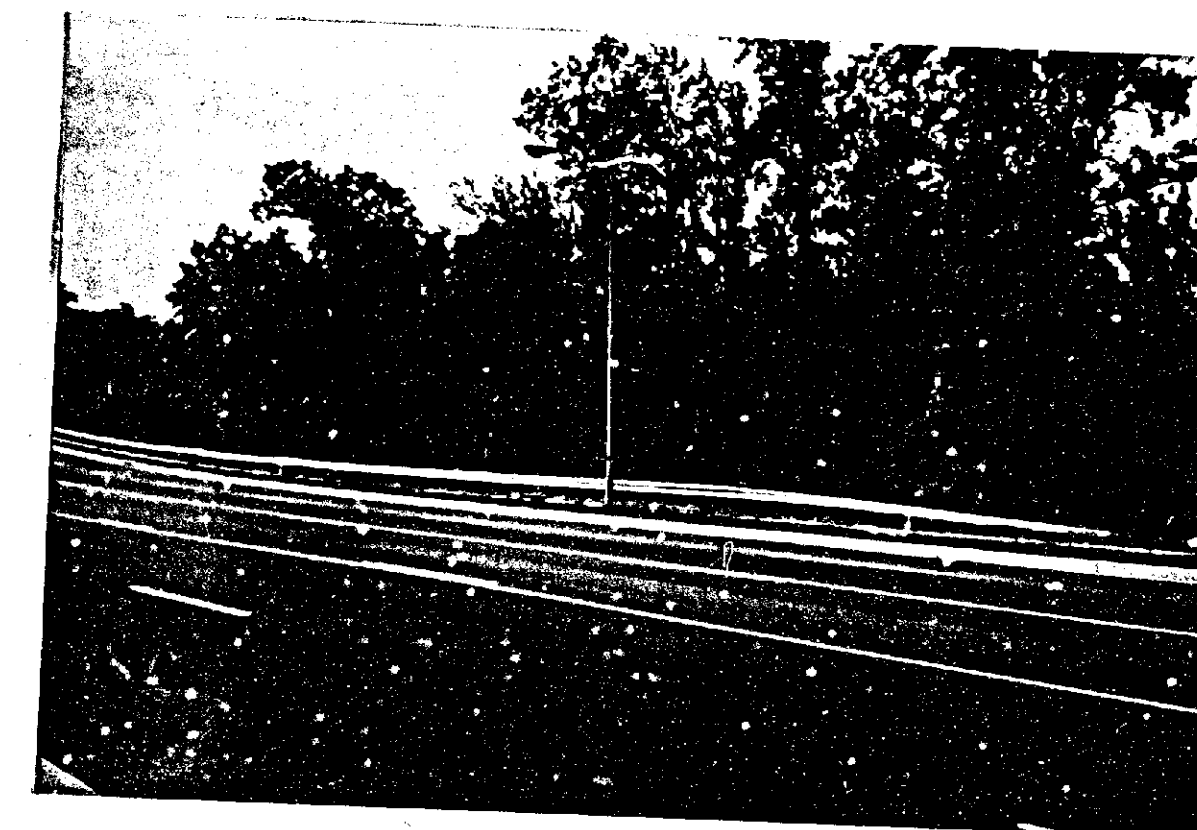
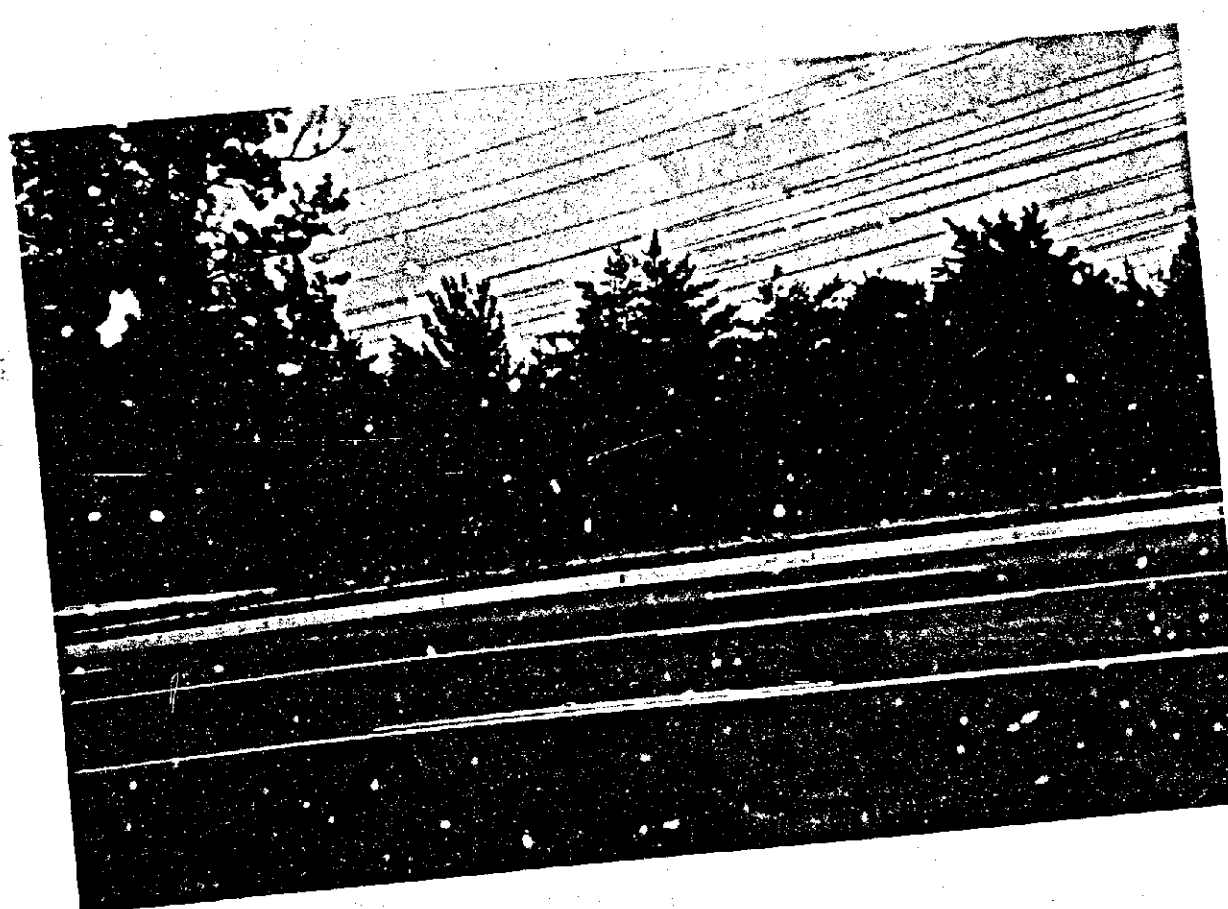
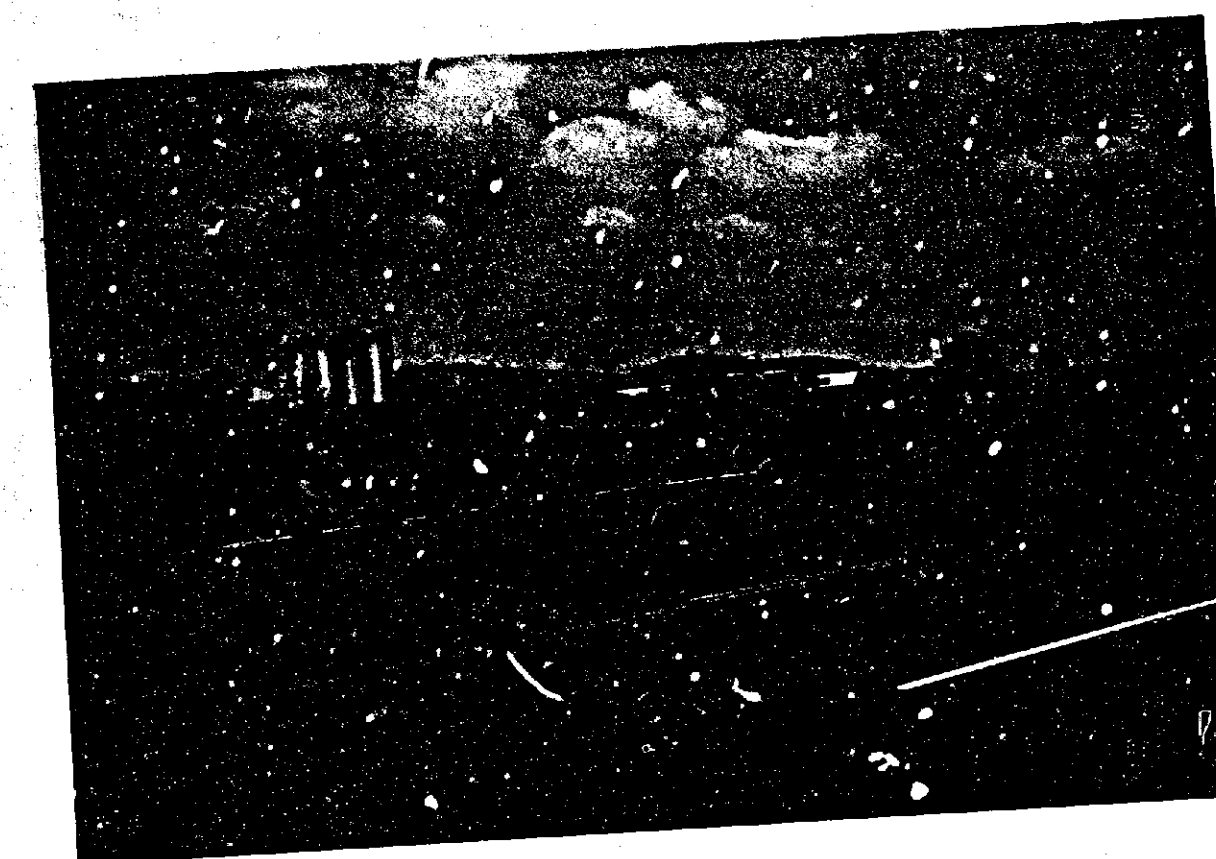
PETITIONER(S) EXHIBIT (5)



PETITIONER(S) EXHIBIT (5)



Petitioner Exhibit 5



Maryland Department of Transportation
State Highway Administration

Richard H. Treiner
Secretary
Hal Kasoff
Administrator

Mr. Robert J. Haines
Zoning Commissioner
Attn: Mr. James Dyer
County Office Building
Towson, Maryland 21204

Re: Perry Hall Mini Storage
Item #471

Dear Mr. Haines:

This letter is in response to the one written to you by Mr. Creston J. Mills, Jr., Chief, Bureau of Access Permits, dated June 13, 1989, concerning the placing of signs at the above location.

A meeting was held with Mr. Robert H. Trengselt, Chief of the Right-of-Way Administration Division and Mr. George Dawson, the Highway Beautification Inspector for the area on July 24, 1989, concerning the above. It was determined that since the developer for Perry Hall Mini Storage project has a "Deed of Easement and Agreement" for the section of land that physically borders their property, the sign will be considered an on-premise sign and will be regulated by the Baltimore County Zoning Office.

When the sign is completed, it shall not project into the State's Right-of-Way.

If you need further assistance, please do not hesitate to contact this office.

Sincerely,

Mary I. Benner
Acting Chief
Highway Beautification Section

MIB:jak
cc: Mr. Creston J. Mills, Jr.
Mr. George Dawson

PETITIONER'S
EXHIBIT 6

My telephone number is (301)

Telephone for the Hearing or Speech
301-788-1111 Baltimore Metro - 888-0451 D.C. Metro - 1-800-482-8042 Maryland Toll Free
707 North Calvert St. Baltimore, Maryland 21204

90-17-SPHXA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
7th day of June, 1989

Robert Haines
ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Perry Hall Mini Strg Received by: James E. Dyer
Chairman, Zoning Plans
Petitioner's Advisory Committee
Attorney: Benjamin Bronstein

90-17-

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

RECEIVED
JUL 31 1989

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item #417, Zoning Advisory Committee Meeting of
Property Owner: Perry Hall Mini Storage Co.

Location: Woodville Blvd. District: 14

Water Supply: public Sewage Disposal: public

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- () A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler generator which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, sauna, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure(s), petitioner must contact the Division of Waste Management at 887-3745, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 887-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- () Soil percolation tests, have been conducted.
 - () The results are valid until _____.
 - () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
 - () shall be valid until _____.
 - () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- () In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- () Others: *Submit Critical Plan must be approved prior to Building Permit Approval. Contact Environmental Impact Review Section at 887-3980 for more information.*

Robert Haines
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

Zoning Comments 90-17

from: Catherine Warfield, Chief
Water Design Approval Section
Bureau of Eng.
J. Robert Haines

Balco. County is planning a 96" water transmission project to serve the future Fullerton Reservoir. Attached are plans showing alternate routes for the main. One of the alignments is parallel to the existing 96" water line which passes through the Perry Hall Mini-Storage site. The powerhouse portion of the site has been identified as an easement area in the legend. The selected alignment will also connect to the Susquehanna main at a point which will affect the access road.

Before a decision is made regarding this request, please contact me for further discussion.

Catherine L. Warfield, PE
Chief - Water Design and Approval Section

Baltimore County
Department of Public Works
County Office Building, Room 200
111 West Chesapeake Avenue
Towson, Maryland 21204
(301) 885-3783

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

July 21, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

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MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Benjamin Bronstein, Esquire
29 W. Susquehanna Avenue, Suite 205
Towson, MD 21204

RE: Item No. 417, Case No. 90-17-SPHXA
Petitioner: Perry Hall Mini Storage
Petition for Special Hearing, Special Exception
and Zoning Variance

Dear Mr. Bronstein:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: T. C. Julio
Perry Hall Mini Storage Co.
9640 Deerco Road
Timonium, MD 21093

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Perry Hall Mini Storage, Item 417
Zoning Petition No. 90-17SPHXA

DATE: July 26, 1989

The petitioner requests a special hearing to allow commercial access through a residential zone, a special exception for an off-site outdoor advertising structure and variances to allow a minimum distance between buildings of 9 feet in lieu of the required 60 feet, and an outdoor advertising structure to be located 20 feet from an expressway in lieu of the required 250 feet and/or 25 feet. In reference to this request, staff offers the following comments:

- The site obtained CRG approval for the proposed use on September 29, 1988 (File No. XIV-271). The approved zoning plan should conform to the approved CRG plan and the final landscape plan.
- This office opposes any signs whose purpose is to advertise the business to beltway or expressway traffic.
- A landscape plan must be submitted for approval prior to the issuance of any building permit.

PK/se

RECEIVED
JUL 28 1989

ZONING OFFICE

SHA Maryland Department of Transportation
State Highway Administration

July 26, 1989

RECEIVED
JUL 27 1989

ZONING OFFICE

Mr. Robert J. Haines
Zoning Commissioner
Attn: Mr. James Dyer
County Office Building
Towson, Maryland 21204

Re: Perry Hall Mini Storage
Item #417

Dear Mr. Haines:

This letter is in response to the one written to you by Mr. Creston J. Mills, Jr., Chief, Bureau of Access Permits, dated June 13, 1989, concerning the placing of signs at the above location.

A meeting was held with Mr. Robert H. Tresselt, Chief of the Right-of-Way Administration Division and Mr. George Dawson, the Highway Beautification Inspector for the area on July 24, 1989, concerning the above. It was determined that since the developer for Perry Hall Mini Storage project has a "Deed of Easement and Agreement" for the section of land that physically borders their property, the sign will be considered an on-premise sign and will be regulated by the Baltimore County Zoning Office.

When the sign is completed, it shall not project into the State's Right-of-Way.

If you need further assistance, please do not hesitate to contact this office.

Sincerely,

Mary J. Benner

Mary J. Benner
Acting Chief
Highway Beautification Section

MJB:jak
cc: Mr. Creston J. Mills, Jr.
Mr. George Dawson

My telephone number is (301) 333-1642

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

SHA Maryland Department of Transportation
State Highway Administration

June 21, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Perry Hall Mini Storage
Zoning Meeting of 6-6-89
Outer Loop Baltimore
Beltway (I-695) North
of Lillian Holt Drive
(Item #417) 4/7

Attn: Mr. James Dyer

Dear Mr. Haines:

We have received comments from our Project Development Section stating there will be no impact to this site by our future beltway improvements.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Creston J. Mills, Jr., Chief
Engineering Access Permits
Division

LB:maw

cc: Morris & Ritchie Associates, Inc.
Mr. J. Ogile

RECEIVED
JUN 27 1989

ZONING OFFICE

My telephone number is (301) 333-1350 (Fax Number 333-1041)

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

SHA Maryland Department of Transportation
State Highway Administration

RECEIVED
JUN 15 1989

ZONING OFFICE

June 13, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: James Dyer

Re: Baltimore County
Perry Hall Mini Storage
Zoning meeting 6/6/89
Outer Loop Baltimore
Beltway
I-695
North of Lillian Holt Dr.
Item #417

Dear Mr. Haines:

After reviewing the submittal for a special hearing to approve commercial access through a residential zone, a special exception for off site outdoor advertising sign, and a variance to permit an off site outdoor advertising sign within 20' of I-695 in lieu of the required 250', we have the following comments.

We have forwarded this plan to our Project Development Division for review with concern to any impact to this site from our future beltway improvements.

We will need two additional copies of the plan for review by our Highway Beautification Division, c/o Ms. Mary Benner (333-1642), with concern to the sign variance.

When we receive comments from the other divisions, we will advise you.

If you have any questions, please contact Larry Brocato (333-1350).

Very truly yours,

Creston J. Mills, Jr., Chief
Engineering Access Permits
Division

LB/es

cc: Morris and Ritchie Associates Inc.
Mr. J. Ogile

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2536
(301) 887-4500

Paul H. Reincke
Chief

JUNE 12, 1989



Dennis F. Baumgardner
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: PERRY HALL MINI STORAGE COMPANY
Location: #7750 ROSSVILLE BLVD.
Item No.: 417

Zoning Agenda: JUNE 6, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: C.H. Keller, Jr. 6-12-89 Noted and Approved
Planning Group
Special Inspection Division

JK/KER

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 20, 1989

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 6, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 502, 503, 504, 506, 507, 509, and 512.

For items 417 and 510 the previous County Review Group comments are still valid.

Comments are attached for item 407.

For item 504, Oak Avenue shall ultimately be improved as a 30-foot street cross-section on a 50-foot right-of-way.

For item 508, parking should not be set up to back out onto future Craddock Lane.

RWB:is

Encl.

Robert W. Bowling

ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: William T. Hackett, Chairman DATE: December 6, 1989
Board of Appeals

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: APPEAL of Zoning Petition No. 90-17-SPHXA
Perry Hall Mini-Storage

The Appeal brought before this Board regards consideration of the following items which were originally heard before the Zoning Commissioner:

1. Special Hearing to determine non-conforming status of an existing dwelling on a new lot in an M.L. zone and continuing said use on a reduced lot.
2. Determine if an easement is part of the property for the purpose of locating a business and/or outdoor, advertising sign.
3. Approve commercial access through a residential zone.
4. Special Exception to permit an off-site, outdoor advertising sign.
5. Variances to permit a minimum distance of 18 feet between buildings in lieu of the required 60 feet.
6. Variance to permit an off-site, outdoor advertising sign within 20 feet of I-695 in lieu of the required 250 feet building setback.

As a result of the hearing before the Zoning Commissioner the status of the existing building and the access through the residential zone were approved. The distance between buildings was modified to 26 feet, and the outdoor signage locations were denied.

Staff has been concerned about the general design and layout of mini-warehouses. In light of these concerns, staff contacted the American Planning Association (see attached) in order to review standards established in other jurisdictions. Based upon this information and site visits to facilities in the County, a policy position for County Review Group (CRG) was written to guide staff in the analysis of these types of projects (see attached). Based upon this analysis, recommendations to CRG and the Zoning Commissioner were formulated.

CC: 9/17 8-23069

STANDARD APPEALS AIN-003
05/05/89

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

HEARING ROOM -
Room 301, County Office Bldg.

December 15, 1989

NOTICE OF REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 90-17-SPHXA PERRY HALL MINI STORAGE CO.
End of private road, 380' + SE of the end of
Pitch Lane (7750 Rossville Boulevard)
14th Election District
6th Councilmanic District
SPH -nonconforming use/existing dwelling on reduced
lot, location of advertising sign and commercial
access through residential zone
SE -outdoor sign
VAR -setbacks and sign
9/12/89 - Z.C.'s Order DENYING in part; GRANTING with
restrictions in part.

which was scheduled for hearing on May 30, 1990 has been reassigned at the request of Counsel for Petitioner. Cases on Petitions for Variance previously scheduled for January 30, 1990 (Case Nos. 89-490-A and 89-493-A) will be withdrawn.

REASSIGNED FOR: TUESDAY, JANUARY 30, 1990 at 10:30 a.m.

cc: Benjamin Bronstein, Esquire Counsel for Petitioner

Theodore C. Julio
Perry Hall Mini-Storage Co.

Paul T. Muddiman

Robert P. Bradley

Catherine C. Warfield

Mr. and Mrs. R. D'Ascenzo

People's Counsel for Baltimore County

P. David Fields

Pat Keller

J. Robert Haines

Ann M. Nastarowicz

James E. Dyer

W. Carl Richards, Jr.

Docket Clerk - Zoning

Arnold Jablon, County Attorney

LindaLee M. Kusznau
Legal Secretary